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Ethnic Studies Review (ESR) is the journal of the National Association for Ethnic Studies (NAES). ESR is a multi-disciplinary international journal devoted to the study of ethnicity, ethnic groups and their cultures, and inter-group relations. NAES has as its basic purpose the promotion of activities and scholarship in the field of Ethnic Studies. The Association is open to any person or institution and serves as a forum for its members in promoting research, study, and curriculum as well as producing publications of interest in the field. NAES sponsors an annual spring conference.

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Critical Perspectives: New Knowledge

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Table of Contents

Editor's Notes i

Contributors iii

ARTICLES

Tongues United: Polyphonic Identities and the Hispanic Family
José Medina 1

W.E.B. DuBois's "The Comet" and Contributions to Critical Race Theory
Reiland Rabaka 22

"No Opportunity for Song": A Slovak Immigrant's Silencing
Analyzed through Her Pronoun Choice
Danusha V. Goska 49

Racial Profiling and the War on Terror: Changing Trends and Perspectives
Abu Bah 76

Resistance and Reinvention of the Subject in Jackie Kay's *Trumpet*
A. Lâmia Gülçur 101

BOOK REVIEWS

Jeff Karem. *The Romance of Authenticity: The Cultural Politics of Regional and Ethnic Literatures*. (Charlottesville, VA: University of Virginia Press, 2004). 247 pp., \$55.00 cloth, \$18.50 paper.
Reviewed by: Helen Lock 111

Patricia Klindienst. *The Earth Knows My Name: Food Culture and Sustainability in the Gardens of Ethnic America*. (Boston: Beacon Press, 2006). xxviii, 304 pp., \$26.95 cloth.
Reviewed by: Harriet Joseph Ottenheimer 113

John Lie. Multiethnic Japan: (Cambridge and London: Harvard University Pres, 2001).
xiii, 248 pp., \$43.00 paper.

Reviewed by: John B. Richards117

EDITOR'S NOTES

The articles in this volume focus our attention on an ever important and defining part of the ethnic studies project. That is, the continuing quest to seek out information and to form perspectives which better – more completely and accurately – inform the multilayered experiences of ethnic groups. This is a critically important part of what we do in ethnic studies: push the boundaries of what is known towards what is unknown with the belief that more still is knowable. This heuristic feature of ethnic studies insures a dynamism not always found in other disciplines. Ethnic studies scholarship reflects a willingness to search out new information, form new perspectives, craft new epistemologies through which to know and better understanding the experiences of ethnic groups. It is within this tradition that these articles make both substantive and theoretical contributions to what is known and knowable about the lives and experiences of ethnic groups.

Jose Medina in "Tongues Untied: Polyphonic Identities in the Hispanic Family," draws our attention to the existence of multiple identities within Hispanic families and the need for all individuals to be free to verbally express their identities and in doing so, shape their own cultural experiences. Reiland Rabaka's W.E.B. DuBois's 'The Comet' and Contributions to Critical Race Theory: An essay on Black Radical Politics and Anti-Racist Social Ethics," undertakes a critique of contemporary critical race theory by arguing for a more expansive analysis of W.E.B. DuBois's writing on the

subjects of race and racism. The author argues that DuBois's short story has much to contribute to our understanding of how race and racism are deeply structured into this society.

In "No Opportunity for Song: A Slovak Immigrant's Silencing Analyzed Through Her Pronoun Choice," Danusha Goska analyzes the effects of discrimination and marginalization on her immigrant mother. The author asserts that one of the effects is illustrated through pronoun references to self and others. Abu Bah argues in "Racial Profiling and the War on Terror: Changing Trends and Perspectives," that policies and practices of racial profiling are patently anti-democratic. While racial profiling has long been an odious practice against African Americans, the author critiques how the post 9/11 practice is being carried out against Arabs and Muslims and those presumed to be. A. Lámia Gülçur's "Resistance and Reinvention of the Subject in Jackie Kay's Trumpet explores how forms of resistance against essentialist norms of race and gender identification can occur as acts of reinvention of self identify.

CONTRIBUTORS

José Medina is Associate Professor of Philosophy at Vanderbilt University. His work is in Philosophy of Language and Philosophy of Ethnicity.

Reiland Rabaka teaches in the Department of Ethnic Studies at the University of Colorado-Boulder. He is also a faculty fellow in the Center for Studies of Ethnicity and Race in America.

Danusha V. Goska received her MA from U.C. Berkeley and the Ph.D. from Indiana University, Bloomington. She currently teaches English and Women's Studies at William Paterson University.

Abu B. Bah is assistant Professor of Sociology at Northern Illinois University.

A. Lâmia Gülçur is a faculty member in the Department of Western Languages and Literatures, Bogaziçi University, Turkey.

TONGUES UNTIED: POLYPHONIC IDENTITIES AND THE HISPANIC FAMILY

**José Medina
Vanderbilt University**

1. Toward a Polyphonic View of Cultural Identity

In this paper I will use the Bakhtinian notion of *polyphony*,¹ of a choral dialogue of multiple and heterogeneous voices, to elaborate a pluralistic account of cultural identity in general and of Hispanic identity in particular. I will complicate and further pluralize the Bakhtinian notion by talking about the overlapping and criss-crossing dialogues of heterogeneous voices that go into the formation of cultural identities. My pluralistic view emphasizes that cultural identity is bound up with differences and opposes those homogeneous models that try to impose a unique articulation of collective identity on the members of a group. Although I will not explicitly discuss the complex relations between cultural identity and racial and ethnic identity,² my pluralistic view underscores that racial and ethnic elements are crucial components of cultural identity and of its heterogeneous nature; and I oppose those contemporary views that talk about “post-ethnic” and “post-racial” identities, trying to purify individual and collective identities of racial and ethnic meanings.³

Cultural differences are everywhere. There is no way around this omnipresent cultural heterogeneity in the 21st century. It has

become clear that the globalized world of today is a *pluri-verse*, rather than a uni-verse, and that multiculturalism is not simply the exotic peculiarity of some post-colonial societies, but the inescapable predicament of the contemporary world community. But even multicultural views of today's world and its communities are often not pluralistic enough because they frequently assume a homogeneous view of the participating cultural identities, as if each of them had a unique voice and could make only one unique contribution to the multicultural dialogue. It will be my contention that not only multicultural societies are polyphonic, but each cultural group (no matter how homogeneous it may appear to be) contains a plurality of voices. *Cultures speak in many voices*.⁴ They are heterogeneous through and through. Differences and heterogeneity go all the way down to the very core of a cultural identity. So we need an account that can make sense of identity through differences, not in spite of them.

Through the notion of polyphony I will try to articulate a *pluralistic* perspective that can shed light on how cultural identities are formed, sustained, and transformed, as well as on how they interact with one another in cross-cultural dialogues. A philosophical elucidation of polyphonic dialogues within and across cultures is now needed more than ever. For cultural differences have come under suspicion and the appreciation of their positive significance has become a difficult challenge. The radical pluralism I articulate and defend in this paper highlights the positive contributions of cultural diversity and the dangers of trying to repress it, tame it, constrain it, or make it fit in fixed molds and restricted spaces. As it will become clear in the last section when I apply my pluralistic approach to situated Hispanic identities in particular cultural contexts, the goal of my polyphonic view is to facilitate playful and diverse forms of identification and to open up sites for *disidentification*,⁵ calling attention to alternative cultural spaces in which different (non-conforming) identities—distanced from mainstream culture—can flourish.

In the next section I will articulate my pluralistic view by elaborating central insights that I draw from Wittgenstein's philosophy of language and philosophy of culture. I will further develop my polyphonic pluralism in the third and final section by elucidating the linguistic and cultural practices of Hispanics in particularly challenging contexts: Chicanos living by the Mexico-

USA border, *en la frontera*; and marginalized groups living in urban ghettos in Mexico City.

2. Wittgenstein and the Hispanic family

In this section I try to determine what the contemporary philosophical debate about Hispanic identity can learn from the historical, practical, and normative contextualism that informs Wittgenstein's later philosophy. I argue that from Wittgenstein's notion of *family resemblance* we can derive a non-essentialist and pluralistic view of cultural identity as something that is historically situated, action-based, and value-laden. So the three crucial ingredients of my Wittgensteinian familial view of cultural identity are *historicity*, *agency*, and *normativity*. On my view, cultural identity is produced and maintained by historical practices; secondly, it is crucially dependent on the agency of its members and also on the agency of those with whom they interact; and finally, a cultural identity has a normative dimension, that is, membership in the cultural group is informed by normative attitudes (attitudes that may be quite heterogeneous and often remain implicit). I develop my Wittgensteinian familial view of Hispanic identity in two stages. In the first stage I offer a critical examination of Jorge Gracia's familial account. There I argue that Gracia's account is not Wittgensteinian enough and I criticize its metaphysical presuppositions from a Wittgensteinian perspective. In the second and more positive stage of my argument I develop my own *polyphonic* interpretation of the notion of family resemblance and apply it to Hispanic identity.

2a. Gracia's Familial View: History without Agency and Normativity.

In *Hispanic/Latino Identity* Gracia (2000) argues that the collective identity of Hispanics should be understood as the identity of a *historical family* formed by "a unique web of changing historical relations." (p. 49) On this familial-historical view, the unity of Hispanics is not a unity of commonality, but a unity of community, "a historical unity founded on relations." (p. 50) According to Gracia, the origin of the complex history that unites "our Hispanic family" is "the encounter" of Iberia and America in 1492. Gracia argues that the term "Hispanic" is the only appropriate name for our historical family because it

is the only label that can bring together all those Iberians and Americans who have come to share a cultural identity as a result of historical events. Rather than discussing the validity of these specific contentious claims, I want to discuss instead the general strengths and weaknesses of Gracia's familial view.

The main strength of Gracia's familial-historical view is its capacity to account for *change* and *diversity* as fundamental aspects of Hispanic identity. On Gracia's view the cultural identity of a group is neither static nor homogeneous. On the one hand, Gracia's diachronic view depicts Hispanic identity as something dynamic that is always in the making and can never be fixed once and for all. This picture brings to the fore the contingencies of the past that have contributed to the formation of our Hispanic identity; and it underscores that the future of our Hispanic family remains open: "The future is always open and can be different. We are not trapped in our identity." (p. 190) On the other hand, Gracia's familial-historical view emphasizes the heterogeneous character of Hispanic identity: Hispanics share only "family resemblances" and their identity "is bound up with difference." (p. 33) Gracia's familial analysis shows that the homogeneity of group identity is a myth, for families are not homogeneous wholes composed of pure elements: "They include contradictory elements and involve mixing. Indeed, contradiction and mixing seems to be of the essence, for a living unity is impossible without contradiction and heterogeneity." (p.50) This is particularly true of our Hispanic family that has been constituted through mixing or *mestizaje* at all levels.

Despite its unquestionable virtues, Gracia's familial-historical view has also some weaknesses. A critical look at the externalist and realist view of history that animates Gracia's account of Hispanic identity can help to uncover some of its problematic assumptions. In the first place, it is highly questionable that what gives unity to our Hispanic family is history *per se* and not the appropriation of that history in and through *our practices*. However, Gracia's externalist view of history forces him to this implausible conclusion: "What ties [a group of people] together, and separates them from others, is history and the particular events of that history rather than the consciousness of that history." (p. 49) But it is far from clear that having a distinctive history is a sufficient condition for collective identity. This externalist claim

belies the fundamental practical dimension of cultural identity, which involves *agency* and is not something that simply *happens* to us as a result of history. The explicit recognition of this practical aspect of Hispanic identity is essential for the self-empowerment of the group.

In the second place, Gracia's familial-historical view shares with essentialist views the ambition of finding a metaphysical grounding for Hispanic identity that is independent of political viewpoints. However, it seems implausible that history can provide such *value-free* grounding. Gracia insists that our philosophical justifications of claims about Hispanic identity "should not be based on politics, but on historical fact." (p. 67) But unless a strong fact/value distinction is invoked, it is not at all clear that history and politics can be kept separate. Gracia seems to be reacting against accounts that have explicitly tied Hispanic/Latino identity to particular social and political agendas such as *liberation*.⁶ Although Gracia acknowledges the crucial importance of the project of liberation in Latin America, he does not think that liberation should be considered as a constitutive element of Hispanicity, for the idea of liberation has not played the same key role everywhere in the Hispanic world and it is not clear that it will in the future. This is indeed true, but it should not be a problem for a philosophical account of Hispanic identity that is developed for our here and now rather than for all times and all places. And this brings us to the unWittgenstenian aspect of Gracia's view. Just as the traditional essentialist views, Gracia's familial-historical view purports to be a universal theory of Hispanic identity that is independent of specific contexts. By contrast, Wittgenstein encouraged us to look at specific cases for specific purposes. On Wittgenstein's view, the job of the philosopher is to arrange descriptions or "perspicuous representations" (PI §122), that is, to provide elucidations by situating things in their historical, practical, and normative contexts. And it is of the utmost importance that these descriptions or elucidations are produced for "particular practical purposes" (PI §132). However, the philosophical standpoint adopted and encouraged by Gracia's view is not the situated perspective of an engaged critic, but the detached perspective of an observer who looks at the history of our Hispanic family *sub specie aeternitatis*. This lack of sensitivity to practical and normative contexts is damaging, for it undermines

the critical and transformative potential that a philosophical elucidation of Hispanic identity should have.

In my opinion, Gracia's familial-historical view of Hispanic identity is an important step in the right direction, but a step that could have taken us much further if it had acknowledged the practical and normative dimensions of identity. An adequate familial account of identity needs to pay closer attention to the role of agency and values in the formation of identity. Gracia's view calls attention to one of the three crucial features of cultural identity—i.e. historicity, but disregards the other two— i.e. agency and normativity. However, these features cannot be separated without distortion. As I will argue in what follows, the historicity of a cultural group or family is essentially practical and normative.

2b. Polyphonic Families: Families with Histories, Practices, and Norms.

One of the lessons we can learn from Wittgenstein's later philosophy is that most of the concepts we use to describe ourselves and the world around us are not applied according to fixed criteria of strict identity. When we use a concept such as "game" or "chair", we treat all kinds of different things as *the same* although they are not strictly identical in any respect. That is, in our categorizations different things are treated as instances of the *same* category even though there is no feature (or set of features) that they all have in common: many different kinds of activities are called games and many different kinds of artifacts are called chairs; and we can always add new items to the list of things that fall under these concepts (we can always invent new kinds of games and produce new kinds of chairs). Wittgenstein suggested that these concepts are like *families*, whose members resemble one another in many different ways: some may have similar hair, others a similar nose, others may share a particular way of talking, or a similar laughter, etc. Families are composed of heterogeneous elements. There is nothing in particular that all their members must have: they simply exhibit some similarities; they share certain "family resemblances", but there is no fixed set of necessary and sufficient conditions that determine familial membership. As Wittgenstein puts it, what brings together and keeps together the members of those categories that function like families is "a complicated network of similarities overlapping

and criss-crossing." (PI §66) Wittgstein's analogy between the strength of a concept and the strength of a thread illustrates this point: "we extend our concept [...] as in spinning a thread we twist fibre on fibre. And the strength of the thread does not reside in the fact that some one fibre runs through its whole length, but in the overlapping of many fibres." (PI §67)

As I have argued elsewhere,⁷ the familial identity of the members of a group is crucially dependent on overlapping similarities, but it is also *doubly* dependent on intersecting *differences*: differences with members of other groups that are considered prominent, and differences among the members of the group that are considered negligible. In other words, the network of similarities in which familial identity consists must be accompanied by *two distinct networks of overlapping and criss-crossing differences*: one network of differences that sets apart the members of the family from the members of other families; and another network composed of those differences among the members of the family themselves that lurk in the background and are disregarded for the sake of familial identity. It is important to note that the relationship that holds between these networks is a *dynamic* one: differences that today set apart one family from another may become inconsequential tomorrow; and, on the other hand, internal differences that are considered negligible today may grow to be important differences tomorrow, even to the point of excluding individuals from membership in the family. At the same time, these dynamic fluctuations between the networks of differences correspond to transformations in the network of similarities that sustains familial identity, for all these networks are mutually dependent and they are shaped simultaneously. A family is a living unit whose members come and go; and, therefore, a familial identity is always subject to change and must be left open. Moreover, even when the membership in the family remains the same, the relations among the members of the family (as well as their relations with other families) change as differences become visible and family ties are relaxed. It is important to note that these networks of similarities and differences that become indicative of familial identity have a history: they result from the continued use of certain associations, that is, from treating things in a particular way in our practices. These networks of similarities and differences acquire diagnostic value simply

because of the (criterial) significance they have been given in our practices, because they have come to be seen as symptoms of membership in a group. But those similarities and differences—as well as their diagnostic value for cultural affiliation—are always open to contestation (even if they do not face challenges and criticisms here and now); and claims about which similarities and differences can be said to be constitutive of the cultural identity of a group are always defeasible (even if not yet defeated). In my view, the networks of similarities and differences that have become symptomatic of familial identity call for a *genealogical* account, that is, a genealogy of their formation through the shared ways of speaking and acting enforced by cultural practices (typically the dominant or mainstream practices within the culture).

This familial view of identity based on Wittgenstein's account of categorization makes clear that the homogeneity and fixity of cultural identities are nothing but myths. Identity should be thought of as something *heterogeneous and fluid*. Given the fluid heterogeneity of familial identity, it is not surprising that all attempts to reduce the shared identity of Hispanics to common properties fail. These failures have led many to conclude that we should give up Hispanic identity and retreat to national identities (Mexican identity, Cuban identity, Argentinean identity, etc.). But, as it turns out, these collective identities pose the same problems (there is no fixed set of features shared by all Mexicans, all Cubans, all Argentineans, etc). The lesson to learn here is that we should reject the essentialist assumption that a shared identity must be based on common features. The unity of Hispanics cannot be established at the expense of diversity, but on the basis of it. As Gracia puts it, the unity of Hispanics is "a unity in diversity" (p. 49); that is, it is not a unity of commonality, but a *unity of community*: the unity of a *family*.⁸ This is a *polyphonic unity*: families are intrinsically polyphonic because they contain a multiplicity of voices, standpoints, and perspectives. And the polyphony of a family is essentially *dynamic*: it is a *living* polyphony that cannot be fully controlled or tamed; in particular, it cannot be forced to conform to an exhaustive catalogue of admissible familial voices and perspectives, for what these are cannot be decided in advance, prior to the contingent historical development of the family.

My familial-historical view calls attention to the contingencies

of the past that have contributed to the formation of our Hispanic identity; and it underscores that the future of our identity remains open and therefore presents us with a task for which we have to take responsibility. According to this view, identifying oneself as Hispanic (or as a member of any other group) is the expression of a *commitment*: a commitment to one's history, to a set of ongoing practices, and to a common future. What is most distinctive about cultural identity is that it involves normative attitudes that inform one's interests, values, and practices. What characterizes membership in a cultural group is a relation of *normative identification*, which is precisely what the metaphor of the family captures so well. Being part of a culture involves being committed to it; that is, it involves seeing oneself as part of that community or family, no matter how different its members are and how heterogeneous their practices and values can be. This is a formal commitment with no specific or fixed content. There is no list of values that we are asked to sign on to in order to become a member of the Hispanic family. But the formal commitment that is involved in the normative identification with a group creates a *bond* with the members of the group. This bond, which brings together the members of the group as a collectivity, is established and maintained through the commitment to a shared and coordinated agency that faces common problems and a common future—a commitment that is not affected by the fact that the members of the group will inevitably disagree about what their problems are and what their future should look like. The specific contents that our familial commitments happen to take will be determined historically through the collective agency and ongoing negotiations of the members of the group.

As Gracia saw, history produces cultural communities or families. But history is not something that simply happens to us. *We make history* (and remake it or reconstruct it). Of course this does not mean that we make it up.⁹ We don't simply invent history, but we construct it through our agency, individual and collective, conscious and unconscious. The crucial point here is that to be a member of a cultural group or family is to be committed to participate in the collective agency of the group and in the endless process of negotiation in which their values and interests get articulated and discussed. These ongoing negotiations involve a *double dialogue*: a dialogue among the members of the group

and a dialogue of the group (and its members) with other groups (and their members). To these complex polyphonic dialogues I now turn.

3. Tongues Untied: Polyphonic Dialogues and the Cultural Agency of Hispanics in Particular Contexts

The formation of a cultural identity requires an *intra-cultural* dialogue of an open plurality of voices (as many as possible). Through this dialogue the members of a culture can produce a multi-vocal articulation of their multiple problems, needs, values, ideals, and illusions. But this dialogue needs to be supplemented with another one that goes beyond the members of the group. For, indeed, no group—no matter how powerful or hegemonic—can fully comprehend the problems it faces and fully determine its own future independently of other groups. So an *inter-cultural* dialogue between the cultural group in question and other groups with which its existence is entangled is also necessary.

We need to keep cultural dialogues as open as possible, without constraining and disciplining their constitutive diversity, that is, the plurality and heterogeneity of their voices. In other words, we need to keep our dialogues *polyphonic*. We have to be prepared to fight *homogenizing* tendencies that erase differences as well as *normalizing* tendencies that make certain articulations of identity mainstream and relegate other identity formations to the margins. We must resist the vain and dangerous attempt to tame the indomitable polyphony of intra- and inter-cultural dialogues. Coercive social and cultural forces and institutions (from school to the family and the media) are responsible for the homogenization of mainstream identities and the marginalization of those identities that don't conform to social expectations and established social norms. These coercive forces—which can come from inside one's own group or community as well as from other social units—limit the self-expression of individuals and groups as they navigate through intra-cultural and inter-cultural dialogues. They often restrict, handicap, and even preclude the emergence and development of alternative identities that can be subversive and transformative, for they weave the networks of similarities and differences that support relations of identification in new and alternative ways. A crucial part of this social and cultural process of disciplining identities and taming their polyphony

is the attempt to subdue and domesticate new languages and dialects that people develop to express their experiences, ideals, values, needs, interests, etc. These new linguistic formations (new language-games) can facilitate the rearticulation or reconstruction of established groups or families and the creation of new ones. Therefore, keeping cultural dialogues open and guaranteeing the flourishing of polyphonic identities requires resisting the taming of one's tongue.

Of special interest in this respect are the *frontier identities* and *border languages* that trouble cultural dialogues by underscoring their indomitable diversity and the complex dialectic between intra-familial and inter-familial relations. These are the languages and identities of those who live at the limits or borders between communities—*en la frontera*—and often have multiple familial affiliations, belonging to different cultural groups or families simultaneously.¹⁰ Frontier identities and border languages have recently received special attention in the literature, especially in the pioneer work of Gloria Anzaldúa. In *Borderlands/La Frontera* Anzaldúa tells us that at the core of her Chicana identity is a cultural duplicity that makes her a stranger even to the members of her own family, let alone to those of other families, to whom she appears as fully foreign and even deviant. Those who have frontier identities often display signs of cultural otherness in their faces and bodies, in their manners and comportment, and in their speech. These are signs that often come under attack, being subject to the domesticating social and cultural forces that conspire to erase them. Our bodies and habits are disciplined; our tongues are tamed. In this respect, Anzaldúa talks about the concerted efforts “to get rid of our accents”, which she describes as a violent attack on one's identity and basic rights: “Attacks on one's form of expression with the intent to censor are a violation of the First Amendment. *El Anglo con cara de inocente nos arrancó la lengua*. Wild tongues can't be tamed, they can only be cut out.” (p. 76)

It is important to note that the efforts to tame one's tongue do not come only from outside one's group or family. Anzaldúa poignantly remarks that her Chicana tongue is not only tamed—and ultimately “cut out”—by the Anglos, but also by other Hispanics. Chicano Spanish is not recognized and respected by many other Spanish speakers: “Even our own people, other Spanish speakers, *nos quieren poner candados en la boca*. [...]

Chicano Spanish is considered by the purist and by most Latinos deficient, a mutilation of Spanish." (pp. 76-77) And this scorn and disciplining efforts come not just from other Spanish speakers, but from Chicanas and Chicanos themselves, who have internalized the alleged inferiority of their language and, ultimately, of their identity. "Chicanas who grew up speaking Chicano Spanish have internalized the belief that we speak poor Spanish [...] we use our language differences against each other." (p. 80) Thus Chicanos are left speaking "an orphan tongue":

Deslenguadas. Somos las del español deficiente. We are your linguistic nightmare, your linguistic aberration, your linguistic *mestisaje*, the subject of your *burla*. Because we speak with tongues of fire we are culturally crucified. Racially, culturally, and linguistically *somos huérfanos*—we speak an orphan tongue. (Anzaldúa 1999, p. 80)

The domestication of a border language such as Chicano Spanish leaves its speakers *tongue-tied*, speechless, indeed as if their tongues had been cut out, for they are rendered unable to express themselves in their own ways. The social stigmatization and cultural orphanage of their forms of expression amount to the marginalization of their very identities:¹¹ "If a person, Chicana or Latina, has a low estimation of my native tongue, she has also a low estimation of me. [...] I am my language. Until I can take pride in my language, I cannot take pride in myself." (pp. 80-81) This moment of self-empowerment through one's tongue is a moment of cultural pride and cultural affirmation. It involves a demand for *cultural solidarity*, for the formation of a proud linguistic community liberated from self-hatred, a community in which the marginalized tongue finds a home and a family and is no longer orphan. Anzaldúa makes this point in very Wittgensteinian terms, calling for the construction of a "We"—*un "Nosotras"*—around a common tongue that corresponds to a shared form of life. She writes: "Chicano Spanish is a border tongue which developed naturally. [...] *Un language que corresponde a un modo de vivir.* Chicano Spanish is not incorrect, it is a living language. [...] for a people who cannot entirely identify with either standard (formal, Castilian) Spanish nor standard English, what recourse is left to them but to create their own language? A language which they can connect their identity to, one capable of communicating the

realities and values true to themselves.” (p. 77)

As Anzaldúa suggests, a common tongue that can express people’s “realities and values” makes possible the cultural process of community formation around a shared form of life. Through a common tongue people can articulate their shared experiences, problems, needs, interests, values, etc.; and thus cultural solidarity becomes possible. For this reason, Chicano Spanish deserves recognition and respect from the members of the Hispanic family as well from other cultural groups. For this reason also, we ought to acknowledge the special cultural productivity of *border tongues* in general, for they make possible the articulation of new experiences and new forms of identity, facilitating the diversification of cultural norms and cultural expectations. The task of cultural self-affirmation through language is a complex and always ongoing task. It is extremely complex because it has to be constantly diversified, making sure that no voices are left out.¹² And it is also a never-ending task, for cultures and cultural identities are *living* things that are always changing.

Keeping tongues untied is a pressing task for which we are all collectively responsible, as individuals and as communities. But it is indeed not an easy task. In and through cultural dialogues we need to secure recognition and respect for all but especially for those who have been silenced and may be left without a voice, those whose experiences depart from normalized cultural expectations, those whose identities do not fit into the established cultural molds available to them. There are cultural identities that need a new language to express themselves and the creation of a supportive community in which to flourish, identities that—without special attention and care—are doomed to isolation and silence because they will remain marginalized and tongue-tied. Keeping tongues untied, keeping cultural dialogues polyphonic, involves a process of constant interrogation and challenge, a process of *radical but immanent critique* of our cultural practices and the ways in which they include and exclude people through the sedimentation of cultural similarities and differences. We need to destabilize whatever cultural borders or frontiers are erected, whatever relations of inclusion and exclusion are established in the cultural landscape. This critical activity of interrogation and destabilization of cultural boundaries is epitomized in the work of the Tijuana-based Chicano performance artist Guillermo Gomez-

Peña. He aptly describes his performance art as “dangerous broder-crossing” (2000) and as an exercise in “the semiotics of the frontier” and “the epistemology of multiplicity” (2002). In his performances Gomez-Peña parodies the attitudes towards cultural differences that contribute to perpetuate oppression and marginalization. In his recent work (2002) he develops a performative critique of the *objectivism* of academic discourses that treat cultural differences as mere *objects* of study. He turns the tables on scientific observers, parodically mimicking their objetivizing gaze, when he acts as “un antropoloco fronterizo” who crosses the borders in search for differences to add to the catalogue of exotic behavior. In his performative rendering of reverse anthropology, the “antropoloco” Gomez-Peña captures specimens of *gringos* who are displayed in cages, as trophies of his cultural expedition, to an audience that is asked to form a We—a community—whose identity is defined in opposition to these cultural others.

Gomez-Peña’s parodic performances also contain a performative critique of the cultural *exoticism* that transforms cultural differences into products of consumption. This consumerist attitude toward differences is patent in cultural tourism. In their cultural explorations tourists make a spectacle of cultural differences (“the spectacularization of the bizarre”); and the more distant the cultural differences encountered, the bigger the thrill and the more reassured the tourists will feel about their own ways upon return from their trip. This cultural exoticism also trivializes otherness through the commodification of cultural differences that can be found in fashion and pop culture: “the young hipsters of the 90s have selectively borrowed elements from numerous third world ‘pet cultures’, to create their own designer tribalism.” (2000, p. 272) This cultural consumerism results in the *normalization* of cultural differences and the creation of “alternative mainstreams”. As Gomez-Peña puts it, the legacy of the 1990s is “that the insatiable and undifferentiated mass of the so-called ‘mainstream’ has finally devoured all margins, and the more dangerous, ‘other’, and exotic these margins, the better. In fact, *stricto sensu*, we can say that there are no margins left. ‘Alternative’ thought, fringe subcultures, and so-called radical behavior have actually become THE mainstream.” (Ibid.)

Our challenge in the 21st century is to recognize and respect

cultural differences without exoticizing them or commodifying them, without contributing to their marginalization or assimilating them to the mainstream. This challenge calls for the troubling of the relation between center and periphery, for the interrogation of the boundaries that separate cultural centers from cultural margins. Gomez-Peña's performances often involve a subversive violation of cultural expectations that invites the critical questioning and problematization of cultural boundaries. But it is important to note that we don't need physical and geographical borders to engage in the transgression of cultural boundaries and social norms. Cultural boundaries and the differences and exclusions they institute exist even when there are no visible frontiers. And the critical interrogation of these boundaries should not be left only to performance artists and "professionals" of cultural otherness such as Gomez-Peña. All of us, in our own everyday activities and performances as cultural agents, should contribute to the critical questioning, reconstruction, and rearticulation of cultural boundaries. Creative and reconstructive "border-crossing" can take place within any given community and cultural landscape, even at what is considered the very core or center of the familial group in question and its "homeland" or native cultural space. This productive "border-crossing" can take place even if the physical and geographical borders are not within sight, for indeed there are more frontiers than the visible ones—there are borders, very real borders (even if they are not physical and visible) whenever there are relations of inclusion and exclusion.

An example of cultural "border-crossing" that takes place far from (and independently of) physical borders can be found in the unorthodox religious practices of marginalized groups in the urban ghettos of Mexico City. These include the practices of worshipping *Santa Muerte*, a religious icon that "looks like hell: a scythe-wielding skeleton with a blood-curdling grin" (as reported by *The New York Times*, March 26, 2004, A4). This vision of hell attracts those who come from places that feel like hell on earth, inner-city neighborhoods such as Tepito, a crime-ravaged slum in the heart of Mexico City. *Santa Muerte* is "an angel of last resort for outlaws and outcasts" (ibid.). Her followers are people who live on the fringes of society, people who have been abandoned by their government and disparaged by their church: prostitutes, petty thieves, smugglers, drug dealers and addicts, and criminals

of all sorts, who have been excluded from mainstream culture and its practices, where their participation is deemed inadmissible because of the way they speak, the way they dress, their manners and habits, and indeed their lifestyle. They know they cannot go to *La Virgen de Guadalupe* dressed like that, speaking like that, living like that. And therefore they take their prayers and candle-offerings elsewhere, to Santa Muerte. Her worshipers say that they adore Santa Muerte because she is their own creation and she is *like them*: she is depicted as enjoying chocolates and jewelry, cigarettes and whiskey. Santa Muerte has been created by the people *in their own image*. This is where Santa Muerte's strong popular appeal among Mexico's impoverished and neglected masses lies. This religious icon has been constructed and is used as a *site of cultural identification* that fills a void created by social and cultural exclusions. As Hayde Solís Cárdenas—a street vendor who sells smuggled sneakers in Tepito—is reported to have said, *La Virgen de Guadalupe* “would not sympathize with a life like hers, tending rather to well-off people with college degrees and nice clothes”, but Santa Muerte “hears prayers from dark places” since “she was sent to rescue the lost, society's rejects” (Ibid.).

The Catholic Church in Mexico has condemned Santa Muerte services as devil worship, and law enforcement authorities keep a close eye on this cult, which they link to street violence and delinquency. But this *tout court* condemnation and persecution are problematic and socially irresponsible, for they simply ignore that these cultural practices fulfill a crucial social need for cultural affirmation and collective self-expression. And the rejection of new forms of cultural expression is especially worrisome when it is issued from privileged places of power, and when it targets the cultural agency and voices of people who have been left out of accepted practices and institutions. It is too bad that marginalized cultural practices such as those surrounding Santa Muerte are rejected off hand by the mainstream, although this is certainly not surprising, since the authorities and institutions of mainstream culture have something at stake here, namely, retaining their privileged and hegemonic status by maintaining the established boundaries between acceptable and inadmissible forms of cultural expression. Of course, my claim is *not* that the unorthodox religious practices surrounding Santa Muerte will surely be the path to human flourishing for the oppressed and

marginalized groups that participate in them. They may or may not be. But my point is simply that we must allow for alternative cultural practices like these to articulate people's experiences and to give cultural expression to their interests, values, aspirations, fears, goals, ideals, and illusions.¹³

My polyphonic view contends that our cultural practices should be open to *all possible voices*. Now, it is important to note that this notion of cultural openness welcomes *all voices but not all forms of symbolic interactions*. For, indeed, there are non-dialogical ways in which voices can interact with other voices so as to oppress them, to marginalize them, and even to silence them or destroy them altogether. Polyphonic dialogues can only contribute to cultural openness if, without excluding any voice (or set of voices) in particular, they do everything they can to avoid symbolic impositions, marginalizations, and forms of silencing (such as, for example, hate speech). It is not at all clear that the best way to avert these dangers of symbolic oppression is prohibition. In this sense, in *Excitable Speech* (1997) Judith Butler has argued quite convincingly that censorship is not the best way of dealing with the symbolic disempowerment and silencing that result from hate speech; and there are indeed good reasons to believe that speech codes that simply prohibit the use of certain terms are not particularly effective in the fight against symbolic oppression. Cultural openness is not secured by legal mandates and prohibitions. Securing cultural openness must involve arranging our symbolic practices (and the discursive contexts in which they take place) in such a way that any attempt to disempower or silence voices is discouraged and neutralized, making it very difficult (perhaps even impossible) for such attempts to succeed. But it would be naive to think that we can create discursive practices and spaces that eliminate *all possible forms of exclusion and silencing*. It would also be wrong to assume that the task is simply to identify those voices that are exclusionary and antidemocratic (the silencing voices of racists, sexists, homophobes, etc), because voices are *plastic and dynamic*:¹⁴ insofar as they are alive, they can change and are therefore moving targets that don't admit reification (they can be cooperative and inclusive here and now, and yet antagonistic and exclusionary there and then).

We need to allow for alternative cultural spaces and

alternative cultural practices. We have to make it possible for people to develop their own ways of expressing themselves and of articulating their experiences, problems, interests, etc. We have the individual and collective responsibility to do everything we can to keep cultural dialogues open and to allow for the identities of groups and individuals to be *polyphonic*, that is, to contain a (diverse and heterogeneous) plurality of voices. We have to keep *tongues untied*. We have to make our cultural dialogues polyphonic. Of course, open and polyphonic dialogues do not guarantee cultural solidarity, social justice, the mitigation of oppression, and the flourishing of happier cultural groups or families. The achievement of these goals is never guaranteed. But what untying tongues and having polyphonic dialogues can do is to increase the capacity that groups and individuals have to negotiate their pasts, presents, and futures, freely, so that the contingent achievement of cultural solidarity, social justice, liberation, and happiness can come to depend (at least to some degree) on their own agency.

When tongues are untied, we do not know what they will say, or even in what language they will speak; but we know at least this: that they will be able to talk. "I will have my voice [...]. I will have my serpent's tongue—my woman's voice, my sexual voice, my poet's voice. I will overcome the tradition of silence." (Anzaldúa 1999, p. 81)

Notes

¹ See Bakhtin (1981).

² I have done this in my (2004). For a fuller discussion of this issue as it emerges in the discussion of Hispanic/Latina identity, see Alcoff (2000).

³ For example, in Post-ethnic America David Hollinger (2000) argues for the construction of an American identity without ethnic or racial meanings. I have argued against the post-ethnic view at length in my (2004). See also Alcoff (2004).

⁴ Arguments for the idea that cultural identity is always and necessarily bound up with internal differences can be found in Benhabib (2002) and Narayan (1997). Drawing on the writings of José Martí, I have also developed a heterogeneous and pluralistic view of cultural identity through the notion of "unity through diversity". See my (2004).

⁵ For a full analysis and discussion of this notion, see Muñoz (1999) and my (2003).

⁶ See, for example, Alcoff and Mendieta (2000) and Schutte (1993).

⁷ See Medina (2003).

⁸ In order to properly understand my familial account of identity, two caveats are in order. First, in my view, the notion of a family should not be understood as a purely biological concept, but rather, as a hybrid notion that contains social and political elements as well as biological ones. Families are not just biological groups, but social structures and legal institutions. Secondly, we have to keep in mind that there are all kinds of family and, therefore, only a pluralistic notion of “family” can be useful for the analysis of collective identities. My Wittgensteinian approach does not rely on the patriarchal and heterosexist familial model that has been dominant in the West. Far from being complacent with this model, the genealogical approach behind my familial view is intended to subvert it. In this sense, my familial view connects with ongoing efforts in the literature on identity (esp. in feminist theory and queer studies) to rearticulate the very notion of a family and to subvert what is typically understood by “family values”. See my (2003).

⁹ For a balanced discussion of the complex relations between the objective and the intersubjective aspects of history, see Alcoff (2004).

¹⁰ As I have argued in my (2003), all of us have multiple familial identities, with intersecting family ties that are often in tension. As Gomez-Peña (2000) puts it, “we are all members of multiple communities, at different times and for different reasons. Most communities in the 90s are fragmented, ephemeral, dysfunctional, and insufficient. They can only contain and ‘include’ selected aspects of ourselves.” (p. 277)

¹¹ This silencing is certainly gender-specific. As Anzaldúa notes, in the case of Chicanas, the silencing of their ethnic voices converges with the silencing of their female voices. In this sense she describes how she was raised, as a woman, in a “tradition of silence”: “Ser habladora was to be a gossip and a liar, to talk too much. [...] Hocicona, repelona, chismosa [...] are all signs of being mal criada. In my culture they are all words that are derogatory if applied to women—I’ve never heard them applied to men.” (p. 76) This double oppression and marginalization as woman and Chicana that Anzaldúa describes reminds us that there are multiple and converging fronts of oppression. The phenomenon of multiple oppression has been discussed and theorized by Lugones (2003). It is also

the topic of my (2003).

¹² As Anzaldúa points out, "there is no one Chicano language just as there is no one Chicano experience." (p. 80) Even for a single individual, taking pride in one's tongue is typically not a single, unified task, but a plurality of tasks, with multiple fronts, for we speak in many tongues: "because we are a complex, heterogeneous people, we speak many languages." (p. 77)

¹³ In this respect some trends within liberation theology have done very important work in gaining recognition and respect for the unorthodox religious practices of oppressed classes and marginalized groups. See especially Althaus-Reid (2000).

¹⁴ For a full discussion of the plasticity of voices and their agency, see chapters 3 and 4 of my new book (2006). Chapter 5 elaborates the claims I have made in this paragraph through a critical examination of symbolic processes of silencing and exclusion.

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**W.E.B. DUBOIS'S "THE COMET" AND
CONTRIBUTIONS TO CRITICAL RACE
THEORY: AN ESSAY ON BLACK RADICAL
POLITICS AND ANTI-RACIST SOCIAL ETHICS**

**Reiland Rabaka
University of Colorado at Boulder**

**Critical Race Theory and the Riddle(s) of
(Anti-)Race(ism)**

No longer considered the exclusive domain of legal studies scholars and radical civil rights lawyers and law professors, critical race theory has blossomed and currently encompasses and includes a wide range of theory and theorists from diverse academic disciplines. Its most prominent practitioners, initially law professors and "left scholars, most of them scholars of color" employing the work of the breathtakingly brilliant African American lawyer, scholar, and activist Derrick Bell (2005) as their primary point of departure, borrowed from many of the political and theoretical breakthroughs of black nationalism, anti-racist feminism, poststructuralism, and postmodernism. They also employed and experimented with new cutting-edge literary techniques and social science methodologies that shaped and shaded their work and burgeoning socio-legal discourse, ultimately giving it a fierceness and flair unheard of in the history of legal studies. Early critical race theorists' work acutely accented "the vexed bond between law and racial power" (Crenshaw,

Gotanda, Peller & Thomas, 1995, p. xiii). The emphasis on race and power quickly led them to the critique of "white supremacy and the subordination of people of color," not simply in the legal system, but in society as a whole (p. xiii).

Most notably, critical race theory essentially entails: a claim that race and racism are central to European modernity; an insistence that European modernity spawned a homogenizing social, political, legal and medical system that glosses over the heterogeneity of non-Europeans; a declaration that racism interlocks with sexism and classism to form an overarching system of oppression that thrice threatens modern movements for multicultural (and/or radical) democracy; a critique of the established order's claims of colorblindness and racially-neutral rule; a critique of whiteness and white supremacy; a call for racial justice; and lastly, a controversial claim that the raced (i.e., people of color) may have to employ race and their experiences of racism as a rallying point to mobilize a revolutionary anti-racist movement (Crenshaw, et al., 1995; Delgado, 1995; Delgado, Stefancic & Harris, 2001; Essed & Goldberg, 2001; Goldberg, Musheno & Bower, 2001; Goldberg & Solomos, 2002). W.E.B. Du Bois's philosophy of race in many senses foreshadows contemporary critical race theory and, therefore, contributes several paradigms and theoretic points of departure. However, as with so many other aspects of his thought, Du Bois's writings on race and racism have been relegated to the realm, at best, of sociology, which downplays and diminishes their interdisciplinarity and significance for contemporary critical social theory and radical politics (Rabaka, 2006b). Therefore, his writings on race have been virtually overlooked and/or rendered intellectually invisible by critical race theorists. With what follows I endeavor to fill this void in contemporary critical race scholarship by analyzing Du Bois's writings on race and racism as contributions to (the reconceptualization and reconstruction of) critical race theory.

In *Critical Race Theory* (1995), Richard Delgado states that though it began organizing as a "self-conscious entity" in 1989, critical race theory's "intellectual origins go back much further": "The movement has predecessors—Critical Legal Studies, to which it owes a great debt, feminism, and Continental social and political philosophy. It [also] derives its inspiration from the American civil rights tradition, including Martin Luther King, W.E.B. Du Bois,

Rosa Parks, and Cesar Chavez, and from nationalist movements, including Malcolm X and the Panthers" (p. xiv). What I wish to highlight here is, first, though it generously draws from European and white American thought-traditions, African American social and political thought and movements have been at the heart of and enormously influential on critical race theory's discourse and debates. This is an important point to make since there has been a relative silence regarding critical race theory in African American Studies in specific, and Africana Studies more generally. If in fact African American radical intellectuals, social critics, and political activists have been at the heart of this discourse, central to its formation, and many of its major advocates and practitioners, then, African American Studies scholars and students would be remiss to continue to allow critical race theory to go unengaged.¹

A second issue I wish to emphasize here involves Du Bois's place in critical race scholarship. Many, if not all, of the key concerns of critical race theory are prefigured in Du Bois's discourse on race and racism in ways that makes one wonder whether critical race theory is simply a continuation, or a contemporary version of Du Boisian race theory by another name. Du Bois's critique of modernity, albeit often masked and muted, found it, modernity, morally weak and wanting because each of its inventions and innovations were accompanied by unprecedented human and environmental destruction and domination. Which is to say that when and where whites broke new ground, in whatever technical capacity and whichever area of existence, they did so on the graves of people of color, imperially embalming the earth and making the life-worlds, countries, and continents of people of color a massive mortuary. No amount of racial naïveté could save people of color. They therefore had no other recourse but to argue, as Du Bois did time and time again throughout his long career: *race-consciousness*, as will be discussed in greater detail below. At certain intervals in Du Bois's discourse this impulse registered as separatism, at others nationalism, and still others *cultural internationalism*. But, no matter which position Du Bois embraced and argued an *anti-racist social ethics* was ever at work and at the heart of his agenda and ultimate objectives (Edelin, 1981). Again, the emphasis on ethics made many of his positions – including and extending beyond his anti-racism – temporal tactics that were extremely time and space sensitive.

Du Bois's "The Comet" and/as Critical Race Theory

One of the most intriguing issues that Du Bois's discourse on race and racism brings to the fore is the often-overlooked fact that it is possible to reject biology-based concepts of race and any and all forms of racism without denying the socio-historic and politico-economic reality of race and racism. The so-called "anti-race" theorists who argue that race and race-consciousness are the cause of racism and racial oppression are quite simply thinking wrong about race and have not done their homework on the origins and evolution(s), and the historic socio-political uses and abuses of race. Racism, as the critical race theorists never weary of reminding us, is "systematic" and, at this point, deeply "ingrained" in social, political, and cultural consciousness (Crenshaw et al., 1995, p. xiv). It is an invisible invader and an often-illusive intruder that has impacted and affected, perhaps, almost every life-experience human beings have had in the modern (and postmodern) moment. Even if utter abandonment of race concepts and race-consciousness were possible, the material and morphological, religious and rancorous, public and private consequences of the last five hundred years of extremely racialized human existence – that is, rote racialization and racial injustice and the socio-cultural memories associated with these phenomenon – would remain (see Goldberg, 1993, 1997, 2001; Mills, 1997, 1998). This is part of the point of Du Bois's short story, "The Comet" (1920), which dramatizes the persistent racial power relations between a black male "messenger" – or "courier," in contemporary jargon – named Jim Davis and a young wealthy white woman named Julia, after a comet has unleashed "deadly gases" that claim the lives of everyone in New York City (1996, p. 613). Jim, of course, represents African American or black thought and traditions, where Julia symbolizes European American or white thought and traditions.²

Even more than representing pre-apocalyptic black and white, hence, *racial* thought and traditions, Jim and Julia's journey, that is, their actual lived-experiences in a world where everyone else is dead, symbolizes an often uneasy transgression and transformation of previous (white supremacist and/or anti-black) racial thought and practices, that is, former racial views and values. An alternate interpretation of Jim and Julia as archetypal characters could also read them in a "religious" vein,

as a post-apocalyptic Adam and Eve. Instead of a beautiful and peaceful "Garden of Eden," Du Bois places them in a world of death and ugliness, a world which metaphorically mirrors the one white folk imperially invented and orchestrated, especially considering the then recent bloodbath of World War I. However, Du Bois is quick to reveal, it is not a world of utter desolation and asphyxiation, so long as they free themselves from the vices and vulgarities of the former white supremacist world. This, of course, represents religious persons' life-long struggle to come to terms with the theodic thread that ironically undergirds and connects the religious traditions and expressions of those who worship and serve – to shamelessly steal a favorite phrase from black liberation theologian James Cone's critical language – the "God of the oppressed," and those who exalt and obey the "God of the oppressor" (Cone, 1975). In this vein, Jim and Julia's entire journey throughout, and experiences in, this world of death and disaster roughly boils down to a choice (the ultimate choice in the realm of religion) between God and the Devil, and/or good and evil. The "religious" interpretation of "The Comet" is given greater credence when we bear in mind Herbert Aptheker's assertion:

In all of his writings, the ready use of Biblical language [and symbolism] reflects that he was deeply read in both Testaments. However, Du Bois was not religious in a conventional sense, and he disliked organized religion. He was, however, deeply religious [read: spiritual] in that he believed in a kind of ultimate mystery in life, guided by some Creative Force; he also believed in a form of immortality. (1985, p. xii)

Though extremely intriguing, I will leave the "religious" interpretation of "The Comet" to critics better versed in the analysis of secular texts from a sacred frame of reference; hence, a certain sort of hermeneutics. My interpretation here, as I have intimated, will be almost utterly instrumental. I am interested specifically in the ways this short story foreshadows many of the motifs of critical race theory, and contributes to its reconceptualization and reconstruction by opening up a dialogue between critical race theorists and black radical intellectual-activists. Thus, this interpretation, like the story itself, is interdisciplinary, as it draws from African American literary, social, and cultural criticism, and also semiotic, Marxist, feminist, postmodern, and

postcolonial theory. The primary purpose here is to produce an accessible analysis of Du Bois's contributions to the discourse and development of critical race theory and, in turn, critical race theory's contributions to the discourse and development of Africana critical theory (see Rabaka, 2002, 2003c, 2003d, 2003e, 2004, 2006a, 2006b).

"The Comet" offers us an ideal opportunity to observe Du Bois's contributions to critical race theory as it not only prefigures many of the themes taken up by contemporary critical race theorists, but it also pre-indicates some of the literary style(s) of current critical race theory. In *Darkwater* (1920), the volume which houses "The Comet," Du Bois employs a mixture of literary mediums, creating a textual collage that would have (or, maybe) made Romare Bearden grin from ear to ear. In a much more pronounced manner than in *The Souls of Black Folk*, Du Bois's writing in *Darkwater* was poignant and polyvocal, shifting back and forth between pungent politico-economic analysis and socio-cultural criticism to pure poetry and lyrical literary experimentation (the latter, à la Jean Toomer's 1923 classic *Cane*, though Du Bois's creative writing had a firmer foundation in the former, social science, and was, therefore, often cerebral and overly sentimental). Where *The Souls of Black Folk* was a literary look backward at the impact and effects of the African holocaust, enslavement, and Jim Crow segregation on the human pride and passions of African Americans, *Darkwater* was a literary look forward, a "vision of the liberated future" that Larry Neal (1989) and his Black Arts associates were soon to sing of. It was an extremely innovative and thoroughly cosmopolitan text, perhaps one of the first and most widely read to combine literary experimentation and sociological analysis with continental and diasporan African calls for racial justice. It was, amazingly for its time, simultaneously anti-racist, anti-sexist, anti-colonial, and anti-capitalist, devoting at least one chapter to each of the aforementioned issues and/or ideologies. It was, in the end, early Africana *guerilla wordfare*, to coin a phrase – that is, radical writing as a form of freedom fighting – in the sense that Du Bois employed every major modern style of writing to critique and combat the various types of domination and discrimination in his time and, sad to say, yet in ours. Let us now engage the story.

When the comet came, Jim, the messenger, was down in

the Wall Street company's "lower vaults," "in the bowels of the earth, under the world," a place "too dangerous for more valuable men," his now deceased narrow-minded boss had told him. As a consequence of him being "down there," hard at work in the "dark basement beneath," he was spared the toxic smell of the comet's tail (Du Bois, 1996, p. 611). Julia, the young wealthy white woman, had been developing film in her plush, private darkroom, and was likewise spared. Jim bewilderingly discovered the death spell that had conquered New York City and immediately headed home to Harlem to check the life-status of his family. On his way he encountered Julia. Julia beckoned Jim from a great distance and, therefore, did not know that he was an African American — which seems beside the point since they are the only known survivors that each other are aware of in the whole of New York City, perhaps in the whole world. But, racism is dogged and rears its ugly head (and horns!), even during times of great duress and crisis, as Du Bois demonstrates, perhaps drawing directly from African Americans' recent experiences during and after World War I. Du Bois's depiction of Julia's reaction to being "saved" by a black man helps to highlight the continuing influence and effects of racism, however subtle, even in the event of the sudden absence of "races" and, more tellingly, white male racial rulers.

In some sense Du Bois can be seen as saying that Western European and white American culture are so thoroughly shot-through with racism and the thousands of injustices, oppressions, and exclusions that accompany it, that it cannot quickly be unlearned even at the moment of crisis. White males do not have a monopoly on racist thought and behavior, though in white supremacist patriarchal polities they may be its most vocal and vicious proponents. This means, as Du Bois's short story suggests, in the absence of the white male racial ruler, the white woman (who is second to the white male in white supremacist social hierarchy and chain of command) shifts from being the eternal runner-up racial ruler to the head honcho racial ruler. Now turning to the text, the pertinent passage reads:

He came back on Fifth Avenue at 57th and flew past the Plaza and by the park with its hushed babies and silent throng, until he was rushing past 72nd Street he heard a sharp cry, and saw a living form leaning wildly out an upper window. He gasped. The human voice sounded

in his ears like the voice of God...

He wheeled the car in a sudden circle, running over the still body of a child and leaping on the curb. Then he rushed up the steps and tried the door and rang violently. There was a long pause, but at last the heavy door swung back. They stared a moment in silence. She had not noticed before that he was a Negro. He had not thought of her as white. She was a woman of perhaps twenty-five — rarely beautiful and richly gowned, with darkly-golden hair, and jewels. Yesterday, he thought with bitterness, she would scarcely have looked at him twice. He would have been dirt beneath her silken feet. She stared at him. Of all the sorts of men she had pictured as coming to her rescue she had not dreamed of one like him. Not that he was not human, but he dwelt in a world so far from hers, so infinitely far, that he seldom even entered her thought. (p. 614)

To Jim, Julia's voice, the only other "human voice" he had heard in a world where everyone was dead, "sounded in his ears like the voice of God." Revealing just how temporal and tactical African American race-consciousness can be, Du Bois put Africana humanism on display, with Jim's initial thoughts of Julia being not that she was "white" and/or a "woman," but that she was human and in need of help. Jim's first impulse was to help the human being "leaning wildly" and hollering out of an upstairs window in the distance. That is the reason that Du Bois, a decidedly detailed and careful creative writer, did not write that Jim initially heard a "woman's voice," but a "human voice" that "sounded in his ears like the voice of God." In saying that the "human voice sounded in his ears like the voice of God," Du Bois is also associating this anonymous (raceless, genderless, and classless) human being that Jim is hearing and blurrily seeing in the distance, with God, with that which deserves and demands the utmost reverence in Africana spiritual traditions and worldviews.³

Julia's reaction to Jim is almost the antithesis of Jim's reaction to Julia. The very first thing that Julia notices is that Jim is a "Negro." Then, writes Du Bois, "*She stared at him*" (my emphasis). She may have stared at him in the irksome manner in which Du Bois writes that white people "eye[d]" or stared at him at the opening of *The Souls of Black Folk*:

Between me and the other world there is ever an unasked question: unasked by some through feelings of delicacy; by others through the difficulty of rightly framing it. All, nevertheless, flirt round it. They approach me in a half-hesitant sort of way, eye me curiously or compassionately, and then, instead of saying directly, How does it feel to be a problem? they say, I know an excellent colored man in my town; or, I fought at Mechanicsville; or, Do not these Southern outrages make your blood boil? At these I smile, or am interested, or reduce the boiling to a simmer, as the occasion may require. To the real question, How does it feel to be a problem? I answer seldom a word. (1986, p. 363)

Du Bois makes his readers aware of the fact that Julia's stare, the way she "eyed [Jim] curiously or compassionately," with that white—"How does it feel to be a problem?"—look, unnerved him. Du Bois shares an irked Jim's inner monologue: "Yesterday, he thought with bitterness, she would scarcely have looked at him twice. He would have been dirt beneath her silken feet." It is only after Julia racializes the situation that Jim thinks, not of being racist in retaliation, but of guarding himself against her highly probable racist or, at the least, racial reaction to seeing a black male rescuer at her front door. For Julia, "Of all the sorts of men she had pictured as coming to her rescue she had not dreamed of one like him." Why? Because, as Du Bois declared, "They [black men] are not simply dark white men. They are not 'men' in the sense that Europeans are men" (1995, p. 460). Julia had been taught this, and a million other minor things similar to this, all her life. Possibly unbeknownst to her, she had been taught to fear and hate black men, and black people more generally. Black people were only welcomed and wanted in the fallen, former white supremacist world when they were serving whites in whatever (usually docile and/or severely subordinate) capacity. Blacks were "good" when they did what whites wanted them to do. And, of course, blacks were "bad" when they had the audacity and unmitigated gall to pursue their all too human desires and political passions for freedom and justice. In the black existential world that Du Bois created in "The Comet," Jim was an unchecked black man, a seemingly rare being in the world of white supremacy, which is one of the reasons Julia's fear of both

his blackness and maleness is heightened and increases as the story unfolds.

In spite of the eerie moment of racialization that pulled him back into the world of racial social conventions and interpersonal politics, Jim treated Julia with the utmost care and human consideration, so much so that after being in his presence for a short time she “looked at him now with strength and confidence”: “He did not look like men, as she had always pictured men; but he acted like one and she was content” (Du Bois, 1996, p. 616). Here Du Bois is highlighting and hinting at a couple of things; first, the fact that though Jim did not look like the men or human beings that Julia was accustomed to, he nevertheless carried himself in humble dignity and accorded her in a humane and moral manner. That is to say, though Julia unfairly initially judged and devalued Jim based on his biology, he, in the words of Frantz Fanon, in *Black Skin, White Masks*, refused to be “the slave of the past” (1967, p. 225). With each of his words and actions, Jim seemed to be saying:

Like it or not, the past can in no way guide me in the present moment...

I will not make myself the man of any past. I do not want to exalt the past at the expense of my present and of my future...

I can recapture my past, validate it, or condemn it through my successive choices...

I do not have a duty to be this or that....

If the white man challenges my humanity, I will impose my whole weight as a man on his life and show him that I am not that “sho’ good eatin’” that he persists in imagining.

I find myself suddenly in the world and I recognize that I have one right alone: That of demanding human behavior from the other.

One duty alone: That of not renouncing my freedom through my choices. (pp. 225-229)

Jim chose to suspend and/or side-step the social conventions of the white supremacist past in an effort to create a moral and multicultural present and future. He was, or, at the least, he quickly became the antithetical living embodiment of what Julia had learned about African American men, and African Americans

more generally. But, regrettably, none of this dissipated Julia's deep-seated fear and hatred of blacks. At the first opportunity, she ran away from the only living soul in New York City, simply because that soul was housed in a black body.

It was too mighty — too terrible! She turned toward the door with a new fear in her heart. For the first time she seemed to realize that she was alone in the world with a stranger, with something more than a stranger, — with a man alien in blood and culture — unknown, perhaps unknowable. It was awful! She must escape — she must fly; he must not see her again. Who knew what awful thoughts —

She gathered her silken skirts deftly about her young, smooth limbs — listened, and glided into a side-hall. A moment she shrank back: the hall lay filled with dead women; then she leaped to the door and tore at it, with bleeding fingers, until it swung wide. She looked out. He was standing at the top of the alley, — silhouetted, tall and black, motionless. Was he looking at her or away? She did not know — she did not care. She simply leaped and ran — ran until she found herself alone amid the dead and the tall ramparts of towering buildings.

She stopped. She was alone. Alone! Alone on the streets — alone in the city — perhaps alone in the world! There crept in upon her the sense of deception — of creeping hands behind her back — of silent, moving things she could not see, — of voices hushed in fearsome conspiracy. She looked behind and sideways, stared at strange sounds and heard still stranger, until every nerve within her stood sharp and quivering, stretched to scream at the barest touch. She whirled and flew back, whimpering like a child, until she found that narrow alley again and the dark silent figure silhouetted at the top. She stopped and rested; then she walked silently toward him, looked at him timidly; but he said nothing as he handed her into the car. (Du Bois, 1996, p. 617)

Why would Julia run away from Jim, literally, the only living person in the whole of New York City, perhaps even the world?

Why is it that even though she knows Jim (who has treated her with the utmost respect) is there with her, she feels “Alone! Alone on the streets — alone in the city — perhaps alone in the world!”? Because, as Fanon – echoing Du Bois – perceptively pointed out in *Black Skin, White Masks*: the black man is not a man, but a “nigger.” You see, “A man was expected to behave like a man. I was expected to behave like a black man — or at least like a nigger,” and “The Negro is an animal, the Negro is bad, the Negro is mean, the Negro is ugly” (Fanon, 1967, p. 114). Julia leads us to conclude this with her “Who knew what awful thoughts — [he may have had or, worst, be having?!]” statement. Which, of course, is a reference to the myth of the black rapist that was then circulating and extremely popular as a result of Thomas Dixon’s best-selling novel, *The Clansman* (1905), and the movie it spawned, D.W. Griffith’s *Birth of a Nation* (1915). What is amazing and ironic, though, is that Julia thought all of this after Jim forgave her initial racist predilections and treated her as a sister in the house of humanity.

Julia judged Jim not as an individual, but based on her white supremacist prejudgments and prefabrications of the black race. To her, Jim was not a black man, but a black beast that her white father and husband-to-be had been burdened with, “half-devil and half-child,” as Du Bois prickly put it (1995, p. 460). Jim was, in the words of Fanon, “overdetermined from without” (Fanon, 1967, p. 116). Julia, the default racial ruler in the absence of the white patriarch(s), would not allow Jim and his “tom-toms, cannibalism, intellectual deficiency, fetishism, racial defects, slave-ships, and above all else, above all: “Sho’ good eatin’,” to be or become human (p. 112). He would be held down, as he always had been, “kept in his place,” as it were, just as the physically absent though ideologically present white father and fiancé would have it. She, and precisely she alone, would uphold the ways of the white supremacist (and patriarchal!) world, even if that meant, literally, running from life to death. This, of course, symbolizes Julia’s second breach of Jim’s efforts to bring into being a new moral and multicultural world. However, when Julia’s white supremacist fit subsides, and she returns to the apocalyptic present reality without races, Jim – *not* in the fashion of the good and faithful “darkie,” but in the morally firm and forward-thinking spirit of, say, Frederick Douglass and Frances Harper – forgives her of her

racist prepossessions and proclivities a second time. He soberly suggests that they continue their search for other survivors, which intimates two things.

First, it accents black resilience and spirituality in the face of human misery and senseless suffering. In other words, Jim's decision to move on speaks to Africana peoples' impulse to go on no matter what the odds, circumstance, or situation. Thus, this connects *Darkwater* (the book which houses "The Comet") with *The Souls of Black Folk*, and particularly its opening chapter, "Of Our Spiritual Strivings," which prosaically documents and details black folks' use of their spirituality and quickly (re)forming culture to overcome, perhaps, the greatest collective adversities in Africana history: the African holocaust, colonization, enslavement, and subsequent segregation. Second, and closely connected to the first point, Jim's rectitude and unreluctant willingness to continue the search for survivors symbolizes the Africana emphasis on ethics when reasoning racially. Like many of his enslaved ancestors and political progeny in the soon-coming Civil Rights movement, he would not lower himself to a racial reactionary and/or "reverse-racist" level. He knew, as Audre Lorde asserted in *Sister Outsider*, "it is the responsibility of the oppressed to teach the oppressors their mistakes" (1984, p. 114). He knew, again as Lorde laid bare, "Once you live any piece of your vision it opens you to constant onslaught" (p. 107). Jim withstood Julia's brutal racial blows and, with reconciliatory tears in her eyes and his hurt heart covered and chin up, they continued the search. But, not without Julia soon thereafter having an incredible racial revelation as a consequence of Jim's anti-racist ethics.

Jim's anti-racist ethics in this instance would have made Martin Luther King, Jr. marvel, because it cut to the core of Julia's racial consciousness and made her reconsider her racial reasoning and Jim's (and his peoples') humble humanity. Even in the face of a second racial betrayal Jim was merciful and "made her comfortable," finding them safe carnageless shelter and preparing food — though, I revel in reporting, not in the Fanonian "sho' good eatin'!" fashion. In addition — and this is a turning point — he "timidly...took a shawl and wound her in it, touching her reverently, yet tenderly" (Du Bois, 1996, p. 619). Now as "[h]e watched the city. She watched him. He seemed very human, — very near now." The dye was cast, and Jim and Julia spoke as if it

were their first time speaking, reflecting on the world as it was, and as it was to be:

"Have you had to work hard?" she asked softly.

"Always," he said.

"I have always been idle," she said. "I was rich."

"I was poor," he almost echoed.

"The rich and the poor are met together," she began, and he finished:

"The Lord is the Maker of them all."

"Yes," she said slowly; "and how foolish our human distinctions seem — now," looking down to the great dead city stretched below, swimming in unlighted shadows.

"Yes — I was not — human, yesterday," he said.

She looked at him. "And your people were not my people," she said; "but today—" She paused. (p. 619)

Moving many of the more familiar social markers and social barriers, Du Bois presents a dialogue that is a simultaneously simple and complex study in racial, sexual, and class differences. He begins with class differences, emphasizing that where the black has always worked, the white has "always been idle," figuratively speaking. Death and disaster brought "the world of poverty and work" and "the world of wealth and prosperity" together (p. 617). As in so many Africana religious traditions, death is not simply an end, but also a beginning. Du Bois, waxing utopian here, demonstrates the awesome and ironic power of death to give new life when he has the characters refer to their class positions in the past tense. Julia says, "I was rich," and Jim remarks, "I was poor" (my emphasis). Does this mean, then, that Julia was "white," and Jim was "black"? The text suggests as much when Julia, the former racial ruler, says, "how foolish our human distinctions seem — now." Jim unapologetically answers, "Yes — I was not — human, yesterday." A new day has dawned, and Julia and Jim may very well be the forerunners to the "new men" and "new humanity" that Fanon wrote about in *The Wretched of the Earth* (1968, p. 36).

It is also interesting to observe that Jim had been subtly and sincerely trying to share his (and his peoples') vision of a "new humanity" with Julia their entire journey. But, blinded by the white supremacist views and values of yesterday, Julia could not see. It took Jim unerringly practicing anti-racist ethics to open

her eyes. And now what does Julia see? "He was a man, — no more; but he was in some larger sense a gentleman, — sensitive, kindly, chivalrous, everything save his hands and — his face" (Du Bois, 1996, p. 619). As a result of his strict adherence to his (and his peoples') anti-racist ethics, in Julia's eyes Jim went from subhuman to human to, virtually, superhuman — his hands and face withstanding.

Why, we are quick to query, his hands and face withstanding? Because Du Bois wanted to preserve the mark of difference. Even in Utopia blacks can never forget the lived-experiences and life-lessons of the former anti-black world, which is one of the reasons Jim's hands will continue to be rough, as a reminder of yesterday's years and years of hard work and harsh labor conditions. His face would remain distinct because the black face and head have ever been one of the most contested sites and sources of cultural valuation and degradation, and also one of the greatest markers of Africana identity (dare I say "ancestry"). In the final analysis, Jim's journey to Utopia had been, in several senses, the antithesis of Julia's, and his hands and face would continue to tell the dark tale.

Just as Fanon would explain it forty years later in *The Wretched of the Earth*, Jim's anti-racist ethics transformed both the colonized and the colonizer, or rather, in this instance, the raced and the racial ruler. In Fanon's words, "the 'thing' which has been colonized becomes [hu]man during the same process by which it frees itself" (1968, p. 37). At the beginning of "The Comet" Du Bois revealed regarding Jim, his social status and sense of self-worth: "Few noticed him. Few ever noticed him save in a way that stung. He was outside the world — 'nothing!' as he said bitterly" (Du Bois, 1996, p. 611). Now Jim was at the center of the world, and regarded by the only other surviving soul as human, not simply because he was the only other human being left alive but because of his anti-racist ethics. This had a profound impact on Jim, who once thought of himself as "outside of the world — 'nothing!'" Now,

Memories of memories stirred to life in the dead recesses of his mind. The shackles seemed to rattle and fall from his soul. Up from the crass and crushing and cringing of his caste leaped the lone majesty of kings long dead. He arose within the shadow, tall, straight, and stern,

with power in his eyes and ghostly scepters hovering to his grasp. It was as though some mighty Pharaoh lived again, or curled Assyrian lord. (p. 620)

In a sense, Jim freed himself *and* Julia from the vices and vulgarities of white supremacy, and in the end he was reconnected with the very past which white supremacy had long attempted to culturally thief and hide from him and his people.⁴ The “shackles” and chains, symbolizing he and his peoples’ enslavement (both *de jure* and *de facto*), fell “from his soul.” He held “the lone majesty of kings long dead,” “[i]t was as though some mighty Pharaoh lived again, or curled Assyrian lord.” Jim was royal, and entered the spiritual court of kings and queens predicated not on any authoritarianism or elitism (à la Du Bois’s early articulation of the “Talented Tenth”), but based on his public and personal ethics (see Rabaka, 2003b, 2005).

However, and not to sound cynical, his heaven on earth was short-lived. Just as he and Julia were both contemplating their *post-racial* revelations and the future, they heard the honk of a car horn. Immediately, she “covered her eyes with her hands, and her shoulders heaved. He dropped and bowed, groped blindly on his knees about the floor” (p. 620). The white father and fiancé soon thereafter burst into the room. The world was not lost, “[o]nly New York” (p. 621). After tending to the white damsel in distress, the father and fiancé took note of Jim. The fiancé was, of course, perplexed: “Suddenly he stiffened and his hand flew to his hip. ‘Why!’ he snarled. ‘It’s—a—nigger—Julia! Has he—has he dared—’” (p. 621). Julia informs them that, “‘He has dared—all, to rescue me,’ she said quietly, ‘and I—thank him—much.’ But she did not look at him again” (p. 621). Jim was back in the world of white supremacy. He was *negro persona non grata* again. He was black, and she was white, and no matter what racial transgressions and transformations they experienced, these breakthroughs would not be translated to the wider (or, rather, racially ruling white) world without both of them ardently espousing and sharing their new anti-racist knowledge. In this context (that of the return of white supremacist patriarchy) Julia had to take the moral lead, as Jim had previously in the world without white supremacist patriarchy. But, she did not and the all too familiar racial regression that is characteristic of black/white interpersonal interactions in white supremacist society resumed its reign.

Julia “did not look at him again,” because he did not register as human anymore. He was “black” (or, worst, a “nigger”) and, therefore – to resonate with Ralph Ellison –invisible. Where Jim once, however recent and momentarily, felt like a king, hearing the car horn reversed his feelings and flung him back into the world of white supremacy, which is one of the reasons Du Bois tells us at hearing the car horn he “dropped and bowed, groped blindly on his knees about the floor.” Jim prostrated himself as though he were in the presence of a princess. It is almost as if he knew Julia would morally and *racially* betray him a third time, and this is where the story ends. Barely getting out of the presence of the white supremacist patriarchs without being lynched, as it was suggested several times by on-looking white supremacist patriarchs, Jim is reunited with his wife and is told of the death of their child. The black child’s death symbolizes the bleakness of black folks’ future, the continued denial of black humanity and dignity, and blacks’ ultimate non-existence in the future white supremacist world.

Reconceptualizing and Reconstructing Critical Race Theory

What does all (or any) of this have to do with critical race theory? Quickly and in conclusion, there are several critical race themes strewn throughout the story. Du Bois twists and turns many of the motifs in ways that are at once interesting and invigorating. First, consider Du Bois’s emphasis on and critique of the racial (and racist) dimensions of class (contemporary white Marxists should take note). Critical race theorists argue that racism exacerbates class and creates the very chasm (or, “veil,” in Du Bois’s discourse) between whites and non-whites that Du Bois detailed in his story (Delgado & Stefancic, 2001; Ford, 1995; Mills, 2003). Hence, Julia stated that Jim “dwelt in a world so far from hers, so infinitely far, that he seldom even entered her thought.” White supremacy, and all of the racial exclusions that accompany it, place non-whites well beyond the pale of human consideration because it is only whites who are and can be considered “human” and register as such on the social barometer of a white supremacist world. Class struggle in a white supremacist world, then, cannot help but to take on a racial character because race in a race supremacist context is never neutral, but always and ever political and deeply

connected to economic power and privileges or economic disadvantages and disenfranchisements (Mills, 1987, 2003).

Second, Du Bois's short story suggests that more radical measures than mere piecemeal socio-political reform and reluctant gradualism are needed to make the system an authentic multicultural democracy, as opposed to what Charles Mills (1998, pp. 139-166) has termed a "*Herrenvolk*" or ruling race democracy. There is a sense in which "The Comet" can be read as a racially oppressed and poverty-stricken person's dream come true, not in any racially malicious or morally repugnant sense but in a Fanonian sense, in terms of the oppressed desperately desiring to see their oppressors and the oppressive system they imperially invented toppled. The story is also Fanonian in the sense that there is room for racial reconciliation and redemption if – and this is an extremely important "if" that cannot be over-emphasized – *if* they both free themselves from the social conventions, vices, and vulgarities of the former white supremacist world.

More than once Jim, symbolic of the oppressed race-class, demonstrates his rectitude regarding race and, by the end of the story, Julia, symbolic of the oppressing race-class, learned a lesson in anti-racist social ethics from him (or, did she?). This connects with the discourse of critical race theory when we bear in mind that part of its criticism is directed at the established order's claims of colorblindness and racially-neutral rule (Bell, 1995; Gotanda, 1995; Lee, 1995; Lopez, 1995, 1996). Jim did not politely tip-toe around race and racism. He knew he was not considered human by white supremacist social standards and, therefore, based on her initial *racial* reaction, was not regarded as a human being by Julia. Here he follows Fanon and nods to the critical race theorists, as he refuses to allow a racist system and/or a racist individual associated with that system to question and/or deny his humanity and dignity. He did precisely what Fanon suggested above, he brought his "whole weight" as a human being to bear on Julia and showed her that he was "not that 'sho' good eatin' that [s]he persist[ed] in imagining." In other words, and in critical race lingo, Jim spoke radical anti-racist truth to racist power. He was not put off by Julia's age or gender, and he realized early on that white men have no monopoly on racist thought and behavior: white supremacy has infected, so it seems, the whole of the white race (Allen, 1994, 1997; Delgado & Stefancic, 1997; Harris, 1995).

Finally, Julia's decision to racially regress at the end of the story by rendering the previously visible Jim an invisible black, or "nigger," as her fiancé would have it, symbolizes not simply the return of white supremacist patriarchy, but it also represents one of the main reasons critical race theorists endorse race-consciousness as a counter to white racism (Guiner, 1995; Peller, 1995). Kimberlé Crenshaw and company claim: "With its explicit embrace of race-consciousness, Critical Race Theory aims to reexamine the terms by which race and racism have been negotiated in American consciousness, and to recover and revitalize the radical tradition of race-consciousness among African Americans and other peoples of color — a tradition that was discarded when integration, assimilation and the ideal of color-blindness became the official norms of racial enlightenment" (Crenshaw et al., 1995, pp. xiv). Along these lines, "The Comet" illustrates critical race theorists' key claim regarding race-consciousness: that it will never be enough for the racially oppressed to repudiate racism. Though anti-racism has and more than likely will always primarily emanate from the realm of the racially oppressed, for it to be most effective *both* the racially ruled and the racial rulers must mutually repudiate racism. Du Bois demonstrated what will happen if all of the onus is placed on the racially ruled: they will end up, literally, parodying and prostrating themselves each time they are in the hallowed presence of whiteness. Unless and until the racial rulers relinquish race and rid themselves of racism, the racially ruled have no other recourse (at this point) but to cautiously employ race as a socio-political vehicle to counter racism and create anti-racist theory and revolutionary praxis.

Notes

¹There have, of course, been exceptions, more or less intellectual flirtations as opposed to constructive critical dialogue between critical race theorists and Africana Studies scholars. For instance, works such as Collins (2003), Gordon (1999), and Outlaw (1990). However, these works are more in the realm of intellectual history, sort of documenting the often-omitted Africana dimension of critical race theory. What I propose to do here is to use Du Bois as a theoretic point of departure to highlight and accent the major themes of critical race theory as it is currently practiced. In addition, my work here also endeavors to place

new issues on critical race theory's agenda, issues that will continue to be downplayed and diminished until Du Bois's anti-racist discoveries (among many other black anti-racist radicals) are critically engaged for their contribution to contemporary race and racism discourse. For further discussion, see Rabaka (2006a, forthcoming).

²In his creative writings, Du Bois often used characters in an archetypal and/or symbolic sense, as representing not so much their own individual impulses, but the ideals and aspirations of their people, cultures, countries, and communities. This, of course, often overly racialized and bogged his characters down with what could be termed idealism, usually giving them utopian (and frequently radical political or Left) leanings. But, this archetypal idealization and racialization of his characters also gave them a startling realism that is as telling about Du Bois's racial and cultural thought as it is about the times in which he was writing. Needless to say, Du Bois's creative writings always retained a level of scholasticism that made them fiction in form, nonfiction in subject matter, and often experimental and innovative in style (see Du Bois, 1985). For further discussion of Du Bois as a *littérateur*, see Byerman (1994), Rampersad (1990), Stewart (1983), and Sundquist (1993).

³This interpretation of God, God's relationship with human beings, and human beings reverence for God (and the deities associated with God) in Africana spiritual traditions has been informed by: Blakely, van Beek & Thomson (1994), Du Bois (2000), Fulop & Raboteau (1996), and Ray (2000).

⁴The hidden history theme runs throughout Du Bois's corpus and informs his historical writing, fiction, gift theory, and socio-political thought, among other aspects of his philosophy and intellectual framework. Needless to say, none of the aforementioned carries the critical weight and gravity of history. History had a special place in Du Bois's social and political theory, as it provided human beings with a map of the past social world and markers that might be useful in efforts to chart (and change!) the present social world. This made history especially important to continental and diasporan Africans because white supremacy and other forms of anti-African racism were predicated on false claims that Africans had no history and, therefore, had not made any contributions to human culture and civilization. In a high-handed sense, history documents and details human triumphs and tragedies. Therefore, if and when Africans did register in white historical records, it was only in the latter tragic sense, which ultimately gave way to the black pathology discussions of Eurocentric historical discourse. For more detailed discussions of Du Bois as historian and his philosophy of history, see

Blight (1994), Gooding-Williams (1987), Rabaka (2003b), and Robinson (2000).

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“NO OPPORTUNITY FOR SONG:” A SLOVAK IMMIGRANT’S SILENCING ANALYZED THROUGH HER PRONOUN CHOICE

Danusha V. Goska
William Paterson University

“[In Slovakia], A field of agricultural laborers would sing folk songs together as they worked, songs in a minor key, breathing in patience and resignation. [In American factories there is] no opportunity for song” (Ledbetter 1918, 30-31).

Introduction

I can’t tell the most frightening story I know, because stories are made of words, and once I was without them. I was trekking in Nepal and ended up with amnesia. Later I stumbled into a mission hospital with a bruised jaw. A bad fall? I can’t say. I had no words. No words for this thing that was wrenching and crying, in which “I” – a bundle of terror – seemed trapped. No words for where I began, stopped, or the mud stubble terrace on which I sat. No words to map, no words to define, no words to possess. No words for the blobs of light and shadow shifting or parking before me. No words to rank or relate the garbage – my own memories – blasting against my consciousness, randomly, insistently. Names shouted inside my head – my family, my lover, my own name; places – my hometown in America, the name of the mission hospital I’d

eventually find my way to. An eleven-thousand foot mountain rose in front of me. A backpack pulled at my shoulders. A Nepali woman stroked my arm. I had no words to weave any of these into a safety net of story or meaning. All were uncontrollable, unpredictable, stimuli, which somehow, suddenly, had complete, and therefore sinister, power, and struck again and again against – some other thing – me – a thing I couldn't name or inhabit, for I had no words. I remember this sensation now when I want to know what it must have been like for my immigrant mother when, as an eight-year-old Slovak peasant child, she first arrived in America in 1929.

A child of Slavic immigrants, I feel my parents' wordlessness in relation to the dominant culture of which I am a part, and my own wordlessness in relation to them. Wordlessness is not something that can be fixed with a bilingual dictionary. "*Pies*" is replaced by "dog"; "*mačka*" by "cat." An ancient peasant culture is replaced by weekdays in the factory and Saturday night bowling. Because that sometimes works we might be foolish enough to imagine that the process can be carried on, finitely, until all the blank spaces are filled in, but this is not so. As soon as the marginalized immigrant catches up, the dominant culture shifts. And there will always be an accent.

In some of my earliest memories I am watching TV with my parents. I hear the broadcasts of the dominant culture into our home as a line of verbal pickets. I can pick out which ones my parents can vault into community, on which they fall impaled – they had thought they understood, and did not – which bar their way completely. It isn't a question of isolated words, or at least not many. My parents were compulsive readers and had better English grammar and vocabularies than most Americans. It's a question of more complex translations. "This is beautiful; this is worthy of note; this is a satisfying complication, climax, dénouement; this reference weaves about us a net of common memory, shared community. Unlocking the key of this word includes you in." Lacking that key, having it and choosing not to use it, is the cultural equivalent of: "Whites Only;" "No Irish Need Apply;" "Christian Establishment." Networks of untranslatable words kept my parents – two very bright people, for whom working two jobs was a matter of course – cleaning rich women's houses, and carrying rich men's bags, for all of their days.

There is a taste never quite expunged from my tongue, the unique taste of *mak* – ground poppy seeds boiled with milk and sugar into a dirt-like, thick and pungent paste. Craving this taste and never finding satisfaction for it in any other cultural recipe reminds me that silence works both ways. My parents have something, something with which they infected me, that I feel when I listen to folk songs, that I feel when I grow angry in politically correct debates, that I feel when I look back and see what I've endured, that I as an American can't fully possess. I can't name it; the needed words have been sacrificed.

I grew up in a vacuum of words about my own family. Half ghosts passed before me like costumed actors on a stage; I could not inquire anything of these legendary heroes in babushkas and suspenders. I didn't speak Slovak or Polish; they didn't speak English. As if a cowed but reverential tourist witnessing the drama of an extinct tribe, I had to make do by interpreting alien signs and gestures. As if on a schedule of mystery or spite, they all died before I would learn to converse in their tongues. I went to libraries and bookstores and schoolteachers and could find no knowledge of Poles like my father or Slovaks like my mother, and no history, folk or high art books that even listed "Slovak" or "Slovakia" in their indices. Now myself a professor, my colleagues have no idea who I am, insisting on categorizing me as "white," or, for those with special awareness of socioeconomic nuance, "poor white trash" (Goska 2002).

This paper is part of a continuing effort to beat back the terror of wordlessness. It explores the necessity for, and the creation and maintenance of, the silence experienced by many Slavic immigrants and their descendents. This silence takes many forms, but it can be summed up as a lack of knowledge of, and a sense of taboo and mystery surrounding, one's immediate ancestors and their natal cultures.

Domestic silence is paralleled in the wider culture. Accurate representations of Slavic immigrants are rarely taught in classrooms, represented in high or popular culture, or funded in academia (Wtulich 1994). Scholar and author Michael Novak has reached the highest levels of success in American academe. For all that, he is still a Slovak-American who suffers from this silence. It was "amazing," he said, to realize that he had become an educated, successful adult, without knowing "what my family suffered,

endured, learned, and hoped" (Novak 1971, 54). Thanks to his American education, any such reflections had been "heretofore shepherded out of sight" (Novak 1971, 53). He has had to endure uncomfortable moments with well-meaning but condescending interlocutors, and been unable to find the right way to respond to them, "No available public standpoint works for me" (Novak 1971, 51). "The silence," he said, "burns like hidden coals in the chest" (Novak 1971, 53).

This paper uses, significantly, as data, an interview recorded on audiotape in 1990 with my mother, Pauline Goska, née Pavlina Kerekova. Mrs. Goska was born in Kovarce, Slovakia, in 1921, to a Catholic, peasant family. She immigrated to the United States in 1929 with her mother and brother. The family was reunited with Mrs. Goska's father, a coal miner, in Pennsylvania. He had been in America since 1920. These dates, her father's occupation, and her birthplace make Mrs. Goska and her family typical members of the epic exodus, dubbed the "New Immigration," which took place between c. 1880 and 1929.

This paper will argue that two factors experienced by Mrs. Goska, one more personal and microcosmic, the other more political and macrocosmic, but both intertwined, necessitated creation of the silence seen as typical of Slavic New Immigrants and their descendents. These two factors are Mrs. Goska's personal deracination and the American racism she and others like her faced on entry in the United States. This paper implies that Mrs. Goska's experience of these two factors is perhaps exemplary of a process undergone by millions of others like her.

Brief Overview of Slovak Immigration, c. 1880-1929

One historian claims that Slovaks called themselves the "step-children of fortune" (Ledbetter 1918, 5). Slovakia has been invaded and/or occupied by the Turkish, Austro-Hungarian, Nazi, and Soviet empires. Since much of Slovakia is rocky and mountainous, Slovaks have had to work hard to win even a subsistence level of calories from their soil. Poverty can be measured in various ways; in Slovakia it might be described thus: good soil, that near rivers or in valleys, belonged to foreign lords. Slovaks cultivated high, narrow strips of land to which they had to carry manure and/or topsoil (Ledbetter 1918, 6). Children might suffer punishment if they relieved themselves where it would not

serve to fertilize the family's crops (Stein 1980, 54-55). A rich peasant might own twelve acres of land, not together but in strips, often miles apart; a "poor" peasant might have only an acre. One sixth of the population was landless (Ledbetter 1918, 6; Stein 1980, 92). Slovaks grew what they ate: potatoes, cabbage, turnips, wheat and flour products, and fruits in season. Meat was rarely consumed (Ledbetter 1918, 6-7). During serfdom, officially abolished in the Austrian empire only as late as 1848 but still in practice much later, Slovaks owed fifty percent of their crops to Hungarian lords (Stein 1980, 89). A Slovak immigrant might have handled money but twice a year, or not at all (Ledbetter 1918, 6; Stein 1980, 89).

Some historians went so far as to say that Slovaks are a people without history (Stasko 1974, 20-22); in a sense, this is true. Most Slovaks were, for much of their history, oral, as opposed to literate, peasants. Their rulers were not inspired to produce written works reflective of their lives. In fact, it has been said that the Hungarians, who ruled over Slovakia directly previous to the birth of the informant for this paper, regarded the Slovaks as non-human (Stein 1980, 80). In America, the Slovak experience has not inspired even so much as accurate record keeping; no one can say, for example, exactly how many Slovaks arrived in America, when or what they did for a living. (Hammerova 1994, 21; Stein 1980, 81; 109-110). In the academic world, Slavic studies do not have relatively high prestige or funding (Wtulich 1994, 1); even within this marginalized realm, Slovaks are remarkable for their relative invisibility. In a highly praised recent work devoted to the narratives of female immigrants from Eastern Europe, Slovaks are not mentioned (Zaborowska 1995).

Slovaks have few world-famous authors, politicians, or artists to claim as their own. Writers on Slovaks and their history have chosen to concentrate on folk culture, the culture of primarily oral, Christian agriculturists. One effort to introduce the reader to Slovak culture mentions not museums or kings, but prayers and earth: "breviaries contained prayers for entreating the Lord throughout the year for changes in the climate that would improve the year's harvest, help the animals, or otherwise benefit the community" (Alexander 1987: 5). Daily life included survivals of pagan times. For example, "during the Christmas Season, Slovaks followed various rituals that supposedly revealed future spouses,

chased away witches, or foretold whether joy or sorrow would befall a family or village during the upcoming year" (Alexander 1987: 5-6).

Before 1918, there were no secondary schools in Slovakia. Slovaks, at their own expense, built three; they were "dissolved" by Hungarian rulers (Stasko 1974:26). In the early part of the twentieth century, a peasant had the option of sending his children to school for four winters. He would have to be able to spare the child's labor, and such a peasant was rare. "Children have to work from an early age, usually from about six years of age, and they do work which we would consider not only cruel, but impossible..." (Ledbetter 1918: 7). Before World War I, Slovak children had to study in Hungarian. Schools were staffed with spies whose job it was to ensure that children spoke Hungarian at all times. Belongings were searched to ensure that the child had no written material, including handwritten, in his native tongue. Such experiences made many Slovaks uncomfortable with formal education (Ledbetter 1918:7).

The Austro-Hungarian army, like the schools, was, for Slovaks, also a source of ugly experiences. For example, "A favorite punishment is to hang him [an ethnic minority soldier] up by a sort of harness under the arms, drawn up so that his toes barely touch the ground. He will be kept so until he grows black, then taken down, revived with a bucket of water, and hung up again. Many commit suicide under these punishments" (Ledbetter 1918, 8). The position of Slav minorities in the Austro-Hungarian army was recorded in Jaroslav Hasek's classic comic novel *The Good Soldier Svejk*. In it, a Czech soldier manages to survive by presenting the appearance of idiocy while not cooperating with the agenda of his superiors.

The official liberation of the serfs in 1848 was not much of an immediate historical boon to the Slovaks, as it deprived them of their traditional means of livelihood (Stein 1980:90). A population of physically strong laborers was freed up. America needed such workers; her industry was expanding. American industrial recruiters traveled to Slovakia and other lands in Eastern and Southern Europe in order to advertise a country where streets were paved with gold (Stolarik 1985, 21; Alexander 1987, 7; Ference 1995, 34). During the New Immigration, historians estimate that twenty-five percent of all Slovaks in the world lived in the

United States, making them the largest, per capita, of the New Immigrant groups to emigrate (Ledbetter 1918, 10; Stein 1980, 92; Stasko 1974, 34). Sixty-eight percent of Slovak immigrants, it is estimated, were agriculturists; in America, ninety percent found employment in industry (Ference 1995, 35). Slovaks soon became a significant percentage of workers in America's steel mills, oil industry, coalmines, meat packing plants, cigar industry, and of her domestic servants. An historian in 1918 wrote:

Wherever they have settled in this country, the Slovaks have undertaken the hard, heavy labor, the work fundamental to our great industries. Owing to their lack of previous opportunity, they have always had to fall into the ranks of the unskilled, where their dogged industry and perseverance have made them valuable, and their uncomplaining submissiveness has sometimes made them the subjects of exploitation (Ledbetter 1918, 11).

Slovaks and other New Immigrants were often paid less than native-born Americans, white or black, (Wtulich 1994:94), and they earned, on average, less money than it would have taken to support a modest-sized family of four (Stolarik 115; 112-113). This necessitated child labor, and the taking in of boarders who had to sleep in shifts.

Some Slovaks attempted to improve their fate through fraternal societies. These societies recorded Slovak hunger for education. For example, the first Slovak-American fraternal society stated as its first goal: "To educate Slovak immigrants" (Ledbetter 1918: 17). Other societies followed suit. Many expressed poignantly contrary goals: to foster the Slovak language, and to help to Americanize new immigrants. The mutual aid that these groups offered to each other, some financial, was credited with keeping Slovaks off the welfare rolls (Ledbetter 1918:20).

Fraternal organizations promised the support a village used to provide. New Immigrant workers died young, often, and violently (Wtulich 1994:83-84; Bukowczyk 1987:26-27). In the village it would be unheard of for a Slovak to go to his grave without a proper funeral. In America it was all too much a possibility. "Do you think that on this foreign soil anyone besides your close family and the undertaker would come to your funeral if you did not belong to a fraternal society?" one asked (Alexander 1987:19). Regulations required that "all members, properly adorned with

the association's funeral badge, had to march in a fellow lodge member's funeral" (Alexander 1987: 25).

One historian has argued that this kind of formal organization for mutual help did not come easily to Slovaks (Alexander 1987:21). Slovaks, one Slovak said, "...have no conception of mutual aid societies" (Alexander 1987:18). This political ignorance could be related in part, at least, to Hungarian oppression. "By the early 1880's, the Hungarian government had effectively banned all Slovak organizations as part of its Magyarization program" (Alexander 1987:18). Further, Slovaks themselves were simply not used to formalizing the kind of mutual aid that had always come naturally, and many were kept out of such organizations by membership fees that they could not pay (Alexander 1987:22). Sadly, fraternal societies themselves were not without risk. One was founded by a notorious Slovak wheeler-dealer who squandered thousands of dollars entrusted to him by greenhorn peasant immigrants (Stolarik 1989:119-123).

One might well ask why the Slovaks did the dirty and dangerous industrial labor that they did perform, and for which their backgrounds as peasants did not train them. Why didn't they immigrate to farmlands? In fact, forces more powerful than they shunted them to industrial labor. American officials invented racial categories; the New Immigrants' assigned racial identity determined what work they were suited for (Bukowczyk 1987:21; Wtulich 1994:12). Later, their children often would be tracked into vocational, rather than academic, programs in school (Wtulich 1994:51-67). Many Slovaks, however, did leave the harsh conditions they found in America; in some years, more Slovaks went back to Slovakia than came to the U.S. (Stasko 1974:48).

Slovaks' and other New Immigrants' peasant culture was used as evidence in the invention of racial categories, categories of separate and less desirable races from both white and black native-born Americans (e.g.: Grant 1916, 78; Higham 1967, 133). During congressional debates on the racial nature of the New Immigrants, one congressman focused on the demonstrated racial inferiority of Slovaks as evidenced in their peasant culture:

...their homes are often nothing but scanty huts, of one room, wherein the whole family lives and sleeps promiscuously. The furniture and outfit is very primitive, mostly homemade, and has to last for generations...The

body clothes of the men are made of coarse linen, their summer clothing of the same material, only coarser, and in winter their clothing consists of suits made from a coarse and thick woolen felting, in the natural color of the wool; an everlasting cap of the sheepskin and a pair of sandals about complete an outfit which has been in vogue with them for generations and which may be an heirloom, since the style hardly ever changes. An important part of their outfit is the roomy and long mantle without sleeves, made up from half a dozen sheepskins which are tanned, the wool being left on...when the men are away from home these mantles form their complete bed. What these patriarchal cloaks may lack in style is generally made up for by some gaudy embroidery or even painting on the leather side of it. I do not wish to be unjust to these people, but from all I can learn their demand for water is but very limited for the use of the outer body as well as the inner. Their diet consists of... offal, or, if times are flush, lungs, liver, or other unpopular but cheap portions of beef. In all, it will be seen that the tastes of these people are anything but refined, are low, in fact...(quoted in Warne 1913:137-138).

In assessing Slovaks as an inferior, non-white race, an American official in Europe stated:

...these Slovaks are not a desirable acquisition for us to make, since they appear to have so many items in common with the Chinese. Like these, they are extremely frugal, the love of whisky of the former being balanced by the opium habit of the latter. Their ambition lacks both in quality and quantity. Thus they will work similarly cheap as the Chinese, and will interfere with a civilized laborer's earning a white laborer's wages (Consul Sterne, quoted in Lodge 1891).

Slovaks knew of their assigned status. Pittsburgh novelist Thomas Bell wrote, "As a small boy I could not understand why I should be ashamed of the fact that I was Slovak. While Irish and German kids could boast of the history of their ancestors, I as a Slovak boy did not know anything about the history of my people" (Bell 1976[1941]: 418). Bell wrote of one Slovak, a fictional character based on his own father, wishing he could

communicate the humanity of Slovaks to Americans, using Slovak folk culture as the medium of communication.

'We're only Hunkies...Once I had an idea, I thought to myself: If we were to sing some of our songs and explain what they were about – would it surprise them to learn that we sang about such things and had such feelings? If we told them how we lived in the old country, how we worked the land, the crops we grew, the little money we saw from one year's end to another, our holidays and festivals – would they realize that even though we spoke different languages we were still men like themselves, with the same troubles, the same hopes and dreams? I hoped that we might learn to respect one another, that we might even become friends...' (Bell 1976 [1941]: 196).

Efforts to communicate the worth and humanity of the New Immigrants through their folk culture ultimately failed; the times were not sympathetic. Rather, Americans openly expressed fear and contempt. In an article published by the *New York Times* company, Etta V. Leighton struggled to be liberal and charitable to the New Immigrants; she stopped at valuing their culture. The idea that folk culture was a boon to America was a "curious fallacy" she warned. Any equation of the immigrant's folk culture with American culture made use of a "false scale of values." Valuing the culture of "the European peasant," she wrote, "coming to us unlettered and untaught," "spells peril to America" (Leighton 1922: 115). Kenneth L. Roberts, a popular American novelist on assignment in Europe for the *Saturday Evening Post*, sent back alarmed and contemptuous dispatches from the homelands of the New Immigrants. The *Post* ran a derisive caption under a photo of Slovak ceramics (Roberts 1920: 8). Even voices far to the left of the immigration debate, like Franz Boas, who devoted his career to, and groomed his students for, generating an appreciation of African-American culture, did not argue that the New Immigrants brought a worthy culture with them. Boas argued, instead, that America could improve the New Immigrants' racial type by making them more American (Boas 1938: 264; Hyatt 1990: 99).

The feckless few of the majority culture who came to the defense of the Slovaks and others like them during the racial debates of the early part of the twentieth century *also* used the

language of racism. These liberals argued that the Slovaks' racial qualities of docility, low intelligence, and great capacity for hard manual labor would help, rather than hurt, America. For example, Eleanor Ledbetter wrote in 1918, in *The Slovaks of Cleveland, With Some General Information on the Race*:

He is naturally conservative, and not inclined to seek changes in the social order, therefore he has an extremely small representation among the Socialists, and is never an agitator. Rather his disposition is always to make the best of things as he finds them. He is simple, direct, straightforward. The word subterfuge has no equivalent in his language. He is industrious in a patient, plodding way. In his own country, he worked to an accompaniment of song. A field of agricultural laborers would sing folk songs together as they worked, songs in a minor key, breathing in patience and resignation. Here he is sometimes confused by the speeding up process, but adapts himself to it with the same spirit of patient resignation, but alas, with no opportunity for song (Ledbetter 1918: 30-31).

No grass roots movement, government or academic intervention has eradicated the peasant immigrants' legacy of shame. Artist and author Alvena Seckar (1915-) was a child of Slovak immigrants. Her 1952 children's book, *Zuska of the Burning Hills* was named one of the *New York Times*' best books for children that year. *Zuska* is largely autobiographical. As part of her picture of the life of a Slovak-American child, Seckar depicts the shame that her main character, Zuska, feels for her immigrant parents. Seckar's struggle with her shame helped to inspire her to write books explaining the worth of even "humble" people (Seckar dust jacket).

This shame is not a thing of the past, and it is stronger in Slavic-Americans than in other groups, or so my experiences convince me. I live and teach in and near Paterson, NJ, a majority minority city. Most Americans I encounter identify themselves with hyphens: Italian-Americans, Peruvian-Americans, African-Americans, Lebanese-Americans. Individuals distinguish ethnic allegiance through language, dress, food, worship, customs, social associations and politics. I encounter shame among Slovaks and socioeconomically comparable Slavs that I do not encounter in other immigrant groups. I will offer just one example. In 2002, my sister-in-law reported to me that my niece, Marlee, was doing

well in her science classes. I sent to Marlee Eve Curie's biography of her mother, the scientist Marie Curie, a Polish woman who won two Nobel Prizes. The book has been a favorite among schoolgirls for generations. Marlee's mother reported that Marlee, an otherwise avid reader, set the book aside, wanting nothing to do with it. Because of media images and pressures at school, my sister-in-law said, "She's ashamed of that whole side of her ancestry." She further reported that Marlee was happily involved in Irish step dancing in school, and preferred to focus on Irish ethnicity as cute and desirable, and preferred to forget her Slavic ancestry as darkly shameful. Marlee had positive contact with her grandmother, who had been born in Slovakia. One set of Marlee's maternal great grandparents, whom she never met, were Scotch-Irish.

Anecdotes are, of course, of limited scientific value. A relatively recent ethnography of Slovak-Americans provides data that supports my assertion. Eva Ribčanská reports that "working class status, low level of education, poverty and backwardness" were important ethnic markers for Slovaks (71). Slovaks knew that they were "assigned low social prestige" (71); their strategy in response to this was to lose ethnic markers and to assimilate into the mainstream, by terminating their use of Slovak language, and changing their names, for example (71). "They did not want to be Slovak; they wanted to be American as much as possible," one informant said, in what Ribčanská assessed as a common sentiment among her informants. Other common statements include, "My parents would never acknowledge their ethnicity in public" and "They were ashamed of their ethnic background" (72). One informant reported, "It was not a pleasure to be Slovak" (78).

Hypotheses

Pressures encountered in immigrating and in daily life in America may have worked against the Slovaks' retention of culture and transmission of it to their children in any coherent form. Slovak immigrants were primarily peasants. This changed drastically and immediately upon arrival in America. Here they worked primarily in heavy industry. Song had played a great role in their daily life; in America, Slovaks worked "with no opportunity for song."

Slovaks faced racial hostility. Their very continued existence

in America, and the continuance of the free immigration that allowed their family members to join them, depended upon their ability to prove that they could abandon their culture and adopt another, as quickly as possible. Slovaks may have come to view the passing on of culture as a burden to their children.

Finally, a Slovak immigrant might not have had a large enough group of other Slovaks with whom to carry on his customs. Even when Slovaks did form a critical mass, they might not have taken the opportunity to formally organize, trained, as they were in the Old Country, in atomization (Alexander 1987, 18, 21). Too, many in America could not afford the time or dues such formal organization demanded.

Discussion of Interview

My formal interview with Mrs. Pauline Goska provides support for these hypotheses. Mrs. Goska's peculiar use of pronouns betrays her deracination, a topic she had previously never discussed with me, her daughter. Too, I believe that Mrs. Goska's insecurity when discussing traditional Slovak folk culture reveals her awareness of the low esteem in which her natal culture is viewed in the United States. Deracination and the lingering wounds of racism contributed, I will argue, to Mrs. Goska's creation of silence within herself, and between herself and her children.

In transcribing the interview, I was struck immediately and hard by Mrs. Goska's use of pronouns. When I ask her about life in Slovakia, I use the pronoun "you." In using the pronoun "you," I was placing Mrs. Goska as a member of an ethnic and cultural group called "Slovaks." In Mrs. Goska's replies to my questions, she uses the pronoun "they." For example, in defining the word "*komora*," a room to be found in the very house Mrs. Goska was born and grew up in, she uses, not the pronoun "we," but, rather, "they." She reports, "That's where they put all their yearly produce. Their potatoes and their wheat and their rye. All the yearly produce for the winter that they had. Uh – the sugar beets." When asked how the room was kept safe from vermin, she replies, "I guess they knew – my grandfather knew how to do it. The women out there knew how to do all this and the room was tight. It was kept closed. There were no windows and there was no problem." I ask, "Did they maybe use some sort of herbs or

something that kept bugs away?" And she replies, "Probably, but I don't know."

Later, when asked where pork was cured, Mrs. Goska replies, "They all knew how to smoke their meat. Cause they kept pigs for their own purpose and they killed them and they smoked them." When I ask, "And do you know what kind of wood they used to smoke them?" She replies, "No." "They" was used in a description of the home production of clothing:

MRS. GOSKA: Material was made by hand. They had looms to make their own material.

DVG: What kind? Wool? From sheep?

MRS. GOSKA: Flax. And some wool.

DVG: So what percentage of the clothes that people wore was store bought and what percentage was home—

MRS. GOSKA: Very little was store bought. Even my underpants ... my mother used to make my underpants and put lace on them ...

DVG: Where was this material made? Was it made at home or in a central —

MRS. GOSKA: Home.

DVG: So everybody had a loom?

MRS. GOSKA: They had looms. Yeah. And they made their material for their tablecloths. That's why a tablecloth from those days is a treasure. Because it's hand-loomed. It lasts forever. And they grew what they needed to grow to make the material.

Mrs. Goska describes vivid memories of religious retreats: We [she and her grandmother] used to go on retreats where the oxen would pull the wagons with the flowers and the blessed mother and she would dress me up in my finest with big ribbons in my hair and I would be the flower girl. She always said I was the prettiest girl in the village and she kept pushing me forward ...

These memories are some of her "earliest ... and my dearest" memories. She reports the lifelong impact these retreats had on her, "Like my brother Joe said, cause I'm a superstitious Slovak Catholic that I will never change from what I am. My memories of all my holidays and processions that I went on." Even so, "they" was used to describe these retreats:

DVG: And, um, where would you go for religious

retreats? What was the –

MRS. GOSKA: That was called a '*pút'*.' I don't remember. It was like in the hills somewhere. They had a chapel. I don't exactly remember where. What town. But they had different chapels and different places.

"They" is used to sum up the Slovak national character and others' stereotypes of Slovaks, "Uh, the Slovaks are a very joyous people. The Czechs consider them not so intelligent because they were a joyous, happy bunch of people. And, uh, I'm sure that they must have had festivals all the time."

Even now, after conducting this interview with my mother and transcribing it, these passages strike me with their strangeness. I am very used to Mrs. Goska considering herself, and calling herself at every opportunity, a Slovak. In fact, at one point in the interview, she uses the present perfect tense to refer to the population of Kovarce as if she still lived there, "We've had several Jewish families." Use of distancing third person pronouns seems especially strange given that Mrs. Goska assesses Slovak culture highly, "Culture in Czechoslovakia is so much better [than culture in America]." This better culture is one that should be clung to, she announces, "I think you should hang on to your heritage."

In one instance, I ask about, and Mrs. Goska explains, a difference between the groups identified as "they" and herself. Here it is clear that a Slovak cultural norm separated children and adults by dress:

DVG: And what did these women wear?

MRS. GOSKA: Oh, the – strictly the Slovak costumes. The long black skirts, the black blouses and the babushkas on their heads ...

DVG: And how about for holidays?

MRS. GOSKA: It was a festive occasion. They had beautiful embroidered costumes and they would put them on ...

DVG: And did you wear those embroidered costumes, too?

MRS. GOSKA: No.

DVG: Why not?

MRS. GOSKA: Because we just wore dresses. The little children just wore regular type dresses that my mother made. My mother was an excellent seamstress ... Unless

they grew older and were in processions in the church or some weddings and they would have costumes for them all embroidered. Hand embroidered. Everything was done by hand.

In other places where Slovaks are identified as "they," Mrs. Goska offers no such explanation, and, in fact, no such explanation would make sense. I would argue that where Mrs. Goska refers to Slovaks as "they," she is referring to skills and folkways that she attributes to Slovaks. These skills and folkways include: the construction of a *komora*, or storeroom, and the storing of home- and family-grown agricultural products in it; the tightening of the *komora* against vermin; the raising of pigs and smoking of meat; the home- and family-production of wool and flax; the hand looming of cloth; numerous colorful village-wide festivals and religious feasts. In these activities, Slovaks, she says, could express themselves as a "joyous, happy bunch of people." Why, then, does she use a pronoun that distances herself from these positively assessed folkways, in all of which she and her age peers, including her brother, participated?

Perhaps at least part of the answer lies in Mrs. Goska's lack of initiation in these activities, her deracination from this folk culture. As a child, she took part in these folkways; as an adult, she could not recreate them. She cannot, as she mournfully admits, make cloth; she does not know what kind of wood is good for smoking meat; she cannot do many of the things her own mother could do. She positively assesses the self-sufficiency these skills brought the Slovaks, and makes clear that she regrets this loss of cultural knowledge.

They were very self-sufficient. Plenty to eat and what they could store. They had no freezers so they couldn't store meat so they smoked it or canned it. My mother was an expert at canning. Even when she came to America. She used to buy uh pork and can it. She used to can pork. She used to can beef. All this stuff. I really don't know how to do. She would can everything. Can beans – everything ... My father built his house ... I guess his brothers must have helped him. I don't remember. But he built the house for us, and my grandfather built his own house. Uh. There is no such a thing as carpenters over there, and – same as today! If your

car breaks down you, uh, my uncle had this old car and, uh, when his car broke down he had to make his own part ... And fix it himself. There is no such a thing as running to the garage around the corner or calling a repairman. You have to be your own repairman.

Her mother was multi-skilled and hard working. In this, she expressed her excellence. "She had to work and work. She worked in the fields. She worked in the priest's house. She cooked over there. She was an excellent cook. An excellent seamstress. She excelled at anything she had to do." Her grandmother, like other women in the village, could heal without recourse to a doctor.

She didn't need a doctor. My father used to tell us about the big tumor he had on his neck. My grandmother got some opium, that she made, her own, from the poppies, she gave it to him. She cut the tumor, and, it was like a boil. No problem. It was a boil. She slit it, drained it; it was fine. And he said, uh, I always had to laugh cause he'd say, 'It's a good thing she no kill me! My sister tell me I cry and cry when I was a baby. She gave me some of that opium and I sleep for three days ... ' All the old women in Europe knew herbal medicines, and very seldom did you go to a doctor ... They grew them. Now how did she learn how to make opium out of poppies? She knew. They all knew. All the old women. I don't think my mother knew. But they did. They would dry the herbs in the *povala* – in the attic – in the *povala*.

At eight years old, Mrs. Goska left Slovakia. She was too young to be trained in the stuff of her "earliest ... my dearest memories." Her youth was not the only factor keeping Mrs. Goska from being initiated into her own, beloved culture. The desperation of her family's circumstances also contributed. Twice, when prodded about the passing on of family history and language skills, Mrs. Goska identifies her mother's heavy work load and poverty as forces that mitigated against such sharing, "My mother had enough trouble trying to make a living," and, "Once we came to America all she had to do was hustle for a buck."

Even if Mrs. Goska had been fully initiated into the culture she was born into, the desperation of her situation, like that of so many other Slavic immigrants in America, would have offered her no opportunity to learn and exercise cultural skills Slovaks

had perfected over centuries. These skills required houses with enough room for looms, land, livestock, and access to natural products like hemp and flax. Even something so simple as singing was tied to practices that didn't exist for Slovaks in industrial America. As Mrs. Goska noted, "The singers in the fields ... sing about what they're doing. Like, if they're, uh, pulling the sugar beets they're singing about that." In America, Mrs. Goska's family had no land; not even the coal shaft in which her father toiled was theirs to claim. Too, there were few other Slovaks with whom to congregate. Mrs. Goska betrayed no knowledge of the larger forces at work to atomize the New Immigrants, but she did mention how small the Slovak community was, in comparison to the Irish and Welsh. She described how the Slovaks did carry on some traditions for a time.

They always got together for big sing-alongs, and telling stories, always. The food would be cooked, the stuffed cabbage and the kielbasi, and they would come over. Cause we used to have big rooms. Not like here. Big kitchens. And Joe and I would be sitting on the steps and listen to these scary stories they would tell. They used to have wonderful times.

These did not last, however. Forces connected with immigration ended them. Lives were constantly disrupted, communities scattered, by poverty. Mrs. Goska had to leave school and go to work for a wealthy Jewish family in New York. There she had to learn kosher cooking and Yiddish. Too, Slovaks were living in the worst areas, doing the worst work. Some, like her father, moved to escape the constant threat of black lung:

She [Mrs. Goska's mother] didn't want him to work in the coal mines anymore. So, she – I was working in New York, so she said would I come home and take care of the kids because *Apa's*¹ getting worse. He's gonna get – you know – like his friends were dying from the lung – black lung? And she didn't want him to get worse so I came home and I took over and she went out to Bayonne.

Others also moved in search of work:

Pennsylvania became a very poor state. The mines were dying and people were leaving. They were – the Jam-riks moved to Philadelphia, a city, where they could get

work. Their children grew up and they got jobs in the cities. The Shuchters – the old people died, and their children moved to cities. Everybody moved. We moved to New Jersey because there was work here. But you move too far away from your families. So you just didn't get together any more. You had to have a large house to get together.

Here and in the reference above to big rooms, Mrs. Goska notes the importance of architecture in the passing on of cultural forms. In Kovarce, there was a communal hall used by the whole village, "It was just a place where a huge amount of people could go and have a wonderful time dancing. I told you, they were very joyous people. The *slivovica* would flow like water."

Finally, Mrs. Goska and others like her faced hostility, ridicule, and shame. She tells stories of being tricked, laughed at and placed in the wrong grade when she first went to school in America, and of developing a debilitating stutter. This must have been especially painful for her, because in Slovakia she loved school and got the highest possible grades. Education was stressed in her family:

[In Kovarce] I got a report card. I was very smart. I got ones in everything, and one was the highest mark you could get. And my mother was very careful that I had a good report card. As I said, she was all for learning. My mother had a way of saying that if you carry it on your in your head, it's not heavy, but if you carry it your load on your shoulders, that's when it's heavy. So, in other words, be smart. Learn as much as you can.

Not only American racism made this New Immigrant uncomfortable in school. Accused of a wrong she didn't commit by American classmates, unable to speak English or understand what was transpiring, she had to stay after school, and was later hit by her mother. The teacher responsible for the false accusation was a Slovak nun who could have cleared things up at any time by speaking Slovak to Mrs. Goska. Mrs. Goska attributes the woman's behavior to her own perverse personality. I wonder, though, if Sister Pauline, who shares a first name with Mrs. Goska, wasn't hiding her own shame or trying to communicate to her little immigrant student that America was a harsh world where every second spent being a Slovak, and not an American, would

cost her.

During the New Immigration, America was technologically advanced, but lacked the multicultural sophistication it has today. Today Hmong embroideries adorn the homes of the best and the brightest, folk tales are appreciated for their deep truths, and folk technologies for their ingenuity. As mentioned above, though, when Mrs. Goska arrived in this country, peasant immigrants' folk culture was seen as proof of their racial inferiority. Mrs. Goska might have been uncomfortable about the kind of beliefs she describes below.

Well, like my mother told me after I had the baby. 'You do not go out until after you're churched. You do not leave the house' ... Because she knew of several women in the village that weren't churched. And she said, 'Somebody's gonna call you out. Now, if you hear somebody call you, [singsong] "Pavlina, Pavlina, " don't go out, cause they'll never see you again.'

If you go over the bridge at night – he'll drag you in! ... Yeah! *Hastrman² tam býva pod mostom*. Under the bridge he lives in there and if you go over it at a certain time at night he'll drag you in and they'll never see you again. And, uh, when they're going through the fields there are different witches. How they have different kind of ceremonies. *Bosorki*. 'Bosorka' is 'witch.' *Ona je bosorka*. They had a lot of witch stories ... 'Yeah, I was going home – and – uh oh.' The *bosorka* would come and drain all the milk from the cows. That's why the cow was dry.

Mrs. Goska expressed her view of these aspects of Slovak culture. "Well, of course, when I was a kid, I believed her, but it's all superstition as far as I'm concerned" and, "You don't believe that, do you?" In her asking me this rhetorical question, I felt that my mother was communicating to me, "It's not actually true; we shouldn't believe it; so it has no value at all."

Immediately assuming the benefits of American culture was not a ready option. Mrs. Goska tells two stories of awkward attempts to learn "English – American – customs": an aborted and misunderstood version of what a "vacation" is that ended in embarrassment for the vacationers, and efforts to find and taste American food, which included eating discarded peanut butter

in a garbage dump. In another anecdote, Mrs. Goska reports how inaccessible even the most common joys of American culture were to her. She enjoyed school sports, but she had to quit school to earn money to feed the family. In America, celebration was bought with money, not sweat or community. And there was no money to be had.

There was a magician in school and he cost ten cents to go see. My mother didn't have the ten cents to give me. She could not scrape up ten pennies. So I remember the insurance man was sitting there and he wanted to give me the ten cents. And my mother says, 'No. You cannot take it from anybody.' So I didn't see the magician.

This lack of access to American culture, exacerbated by her poverty and constant struggle for mere subsistence, extended to the birth of her children:

We got an apartment in Newark. We had to share a bathroom with a Jewish lady and her two sons. It was a cold-water flat. It wasn't easy. Like I tell Antoinette [her daughter], she keeps asking me, with her little baby, 'What did I do when I was that old? How old were we when we did this?' I said, 'How do I remember? I raised six kids in ten years. I don't remember what you people did. I just did the best I knew how. I didn't keep no baby books, saying, 'She started to talk; she started to walk.' You walked when you were ready to walk. You talked when you were ready to talk. My job was to make sure you were clean and well fed and had a place to sleep and if I couldn't afford to buy clothes I made them. Antoinette needed a coat when she was little. I didn't have money to buy one. I took one of my coats and made her a coat. Now I don't think I would know how to do it.

This, I think, is one of the traumata Mrs. Goska and other immigrants like her endured, a trauma that contributed to America's officially sanctioned view that she and others like her had no culture and were incapable of achieving the same cultural level as Americans. She was a rural peasant who immigrated to industrial company towns. That process robbed her of her birthright – traditional Slovak culture – that had given its practitioners beauty, expression, and a sense of belonging and pride. Its disappearance left a void, for access to the fruits of American culture was difficult

if not impossible. Since Americans are certainly “they,” this process helped doom my mother to a marginal status where she could not thrive as either Slovak or American. It, I suspect, also wounded her so deeply that, outside of this interview, it has been very difficult for me to get information from my mother about her life. I think it is just too difficult for her to talk about.

I came across an anomaly that threatened this hypothesis. I will argue here, though, that this anomaly ultimately supports the hypothesis. At one point Mrs. Goska *did* use first person pronouns when discussing Slovaks. In describing Slovak foodways, Mrs. Goska repeats the words “that was ours,” over and over again; the phrase is spoken with increasing volume and falls with a mantric thud.

My mother would make the *koláče* from the poppy seed. That was ours. *Koláče* from the walnuts, that was ours, and *kapušníki* from the cabbage ... Same thing like the walnuts, only you’d put sweetened cabbage inside, and cheese. We had all those *koláčes*. Then we had the soups. We had our own mushrooms ... Cause my father – my grandfather – would go out to get mushrooms in the fields. We always had dried mushrooms. And, uh, cabbage. Sauerkraut soups with the mushrooms. And that was ours. We had chick pea soup – that was ours. We raised our own. Everything was your own food that you raised. Or the walnuts. My grandfather had beautiful walnut trees. And the poppies, of course, we had our own seeds.

Here Mrs. Goska’s use of the first person plural pronoun, and the repeated phrase “that was ours”, is spoken in reference to a body of ritual behavior in which she has continuously participated, and competently: that of preparing food for the Christmas Eve feast. In fact, she has inculcated at least one of her children – me – in the preparation of all of these foods. Too, just as in the old country, the man of the family – my father – was responsible for gathering the wild mushrooms that would stud the sauerkraut soup. “They” is not used. Mrs. Goska can claim this memory, not only as something beautiful and cherished but painful for its irrevocable loss, but as something she can recreate, participate in, and teach to her children. Too, unlike sheepskin garments or other more public forms of a despised folk culture, foods could be

enjoyed at home, far from racism's disparaging eyes.

There was another odd use of language in the interview: the extent to which my mother was translating as she spoke to me. I do the same thing, of course; when I ask her about her punishing but somehow rewarding childhood game of running barefoot over stubble in post-harvest grain fields, I do not use the word "stubble." This is because I am – foolishly – unsure that my mother will know the word "stubble." My mother was doing the same thing to me, but with much more fluidity. I stumbled before saying, in place of "stubble," "cut wheat;" she did not stumble at all before even so refined a translation as referring to her next door neighbor Kunko, who saved her life, as "Cohen," an Americanized version of the Slovak "Kunko."

I grew up in a house where I heard her speak Slovak daily, to my father or to other relatives, yet my mother rarely used Slovak in this interview about herself as a Slovak and Slovakia. In the twenty-thousand-word interview, Mrs. Goska uses Slovak words only fifteen times. These Slovak words may be produced in response from prodding from me, for example, "*komora*." At first my mother uses the English "keeping room." On one occasion she corrects my Americanized plural of the Slovak word "*grof*"³ to "grofs." "*Grofi*," she says. Isolated words are used to describe a feature of Slovak life; these are immediately translated. Examples: "*povala*," and "*bosorka*." Some words are widely used as-is by American Slavs from various countries, and not usually translated into English. Examples: "*slivovica*,"⁴ "*oplatki*,"⁵ and "*koláče*."⁶ At two points I get the impression that Mrs. Goska has slipped into Slovak in order to rouse her memory, as when she says "*Ona je bosorka*," meaning, "She is a witch." A song is mentioned and the brief snippet of it that she recites is immediately translated. Only the one Slovak word "teacher" in "*Pán Učiteľ*," "Mister Teacher," is allowed to stand without translation or other justification.

A Russian writer on language and literature, Mikhail Mikhailovich Bakhtin (1895-1975), theorized that people usually maintain the integrity of the contents of their quotes, even to the extent of code-switching, if necessary, in order to do so (Moore 1993, 214, 236). If this theory is true, Mrs. Goska is an exception. She repeatedly puts English words into the mouths of Slovak characters who are well known to both of us. She does retain the ritual language of the Slovak Christmas Eve celebration, and,

at one point, she puts Slovak words in her mother's mouth, "Čo ty robíš?" immediately, though, providing the English translation, "What are you doing?"

Many explanations are possible for Mrs. Goska's thorough translation of remembered Slovak words into English. She may have been speaking to me not as her daughter, but as an American interviewer who was recording a semi-permanent version of her story. For the American, for the record, she would display her ability to do it right. The first Slovak word in the interview appears in a tense, guarded performance:

DVG: You had a house with how many rooms?

MRS. GOSKA: Uh, well, there was the keeping room.

DVG: Keeping room?

MRS. GOSKA: Keeping room.

DVG: What was that? Is that from Slovak?

MRS. GOSKA: That was a cold that was a room shut off from the rest of the house.

DVG: How do you say that in Slovak? Do you remember?

MRS. GOSKA: *Komora*. K-o-m-o-r-a. *Komora*.

Here "*komora*" is repeated and spelled out as if Mrs. Goska were engaging in the kind of rigid, unnatural, and temporary performance required at a spelling bee. Of course, even outside of the interview context, I am the American, the outsider. I cannot help but feel sad that for my mother, doing it right means filtering, so finely, invisibly, and automatically, her native speech out of dialogue with me. I think of the kinds of pressures that drilled into Mrs. Goska that her own ethnicity is something to be kept from Americans. Translation can be an open door, a way of working to invite in, to make comfortable, guests with whom you want to share your world. Translation can also be a way to shut out, to hermetically seal from expected ridicule and debasement what one holds most dear, and most unsharable.

One day my sister was in the shower. Her baby was crying. We had to endure frantic tears until my sister was available. My mother crouched down. She grabbed the baby's arms and swung them. "Mommy's coming with a big bag of milk!" And suddenly, she began to sing a Slovak folksong. My mother's hard life is reflected in her face, but suddenly this was another face, rosy, flexible, sparkling. The face of a "happy, joyous" person. I

felt nailed to the floor. Truly, my mother contains another person, whom I don't know.

Another Eastern European woman who came to America early in the twentieth century celebrated her transformation thus:

I am just as much out of the way as if I were dead, for I am absolutely other than the person whose story I have to tell. Physical continuity with my earlier self is no disadvantage. I could speak in the third person and not feel that I was masquerading. I can analyze my subject, I can reveal everything, for she, and not I, is my real heroine. My life I have still to live; her life ended when mine began (Antin, quoted in Zaborowska 1995, 39).

For me, such a transformation is no cause for celebration.

Notes

¹ Hungarian for "father."

² A *hastman* is a supernatural creature that lives in water and can cause trouble for human beings. Mrs. Goska provides a translation for the rest of the sentence in her following English sentence.

³ *Grof* - Count.

⁴ *Slivovica* is a strong, clear alcoholic drink made from plums.

⁵ *Oplatki* are rectangular, greeting-card-sized pieces of the same wheaten material used to make communion wafers. Bas-relief Christmas scenes are stamped into them. Slavic-Americans share their consumption with loved ones at Christmastime.

⁶ *Kolace* are pastries. A filling, typically of ground, sweetened poppy seeds or ground, sweetened walnuts, is wrapped in a spiral of pastry dough and baked.

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RACIAL PROFILING AND THE WAR ON TERROR: CHANGING TRENDS AND PERSPECTIVES¹

Abu B. Bah
Northern Illinois University

Minorities in the United States have often been treated unfairly by law enforcement agencies. Prior to the September 11, 2001, terrorist attack on the United States, Blacks were the main victims of racial profiling. Since the terrorist attack, however, Arabs and Muslims are becoming the primary targets for profiling by law enforcement agencies. There are some remarkable similarities between the profiling of Blacks and the profiling of Arabs and Muslims. In both cases, the fundamental problems with racial profiling are that it violates the civil liberties of innocent people and denies minorities the equal protection of the law. The War on Terror has redefined racial profiling. It has not only led to a shift in the target population, but it has also changed the ways in which racial profiling is conducted.

This paper examines the problem of racial profiling before and after the terrorist attack of 9/11. It focuses on three kinds of changes that are crucial for understanding the current problem of racial profiling. These are: the changing rationale for racial profiling; the shift in the target population; and the diminishing efforts to combat racial profiling. The rationale for racial profiling has often been linked to the government's responsibility to protect

the public against crime, violence, and other forms of social disorder. Prior to the 9/11 attack, the rationale for racial profiling centered mainly on the need to protect the public against drug trafficking and illegal immigration. Blacks and Hispanics were the primary targets for racial profiling. Since the 9/11 attack, however, terrorism has become the primary security concern. This concern has led to a dramatic increase in the profiling of Arabs and Muslims, who are often considered terrorists. Furthermore, the problem of terrorism has led to the erosion of the intolerance toward racial profiling that characterized the pre-9/11 period. This erosion is reflected in the swift introduction of new security regulations that target Arabs and Muslims as well as the sharp decline in the efforts to combat racial profiling.

The profiling of Blacks in the post-civil rights era represents a dysfunction within American law enforcement institutions. Despite its persistence, racial profiling of Blacks has been recognized as a problematic issue that must be combated. In contrast, racial profiling of Arabs and Muslims, especially since the 9/11 terrorist attack, can be seen as a state-sponsored crackdown on Arabs and Muslims that is intended to protect the United States against terrorism. However, racial profiling of Arabs and Muslims has implications for minority communities. Essentially, it is an extension of the biased law enforcement practices to which Blacks and Hispanics have been subjected. Most importantly, racial profiling undermines civil liberties, which are essential for a democratic society. The introduction of new and stringent security regulations increases the powers of law enforcement agencies and opens up new channels for the mistreatment of disadvantaged minority groups, who are often at a far greater risk of abuse. While fully recognizing the urgency of combating terrorism, I argue that it is equally imperative for a democratic society to protect civil liberties and ensure equality before the law. Liberty and equality are the fundamental values of democracy. By violating these values, racial profiling raises questions about American democracy. The critical question is how democratic is a country that violates the civil liberties of minorities and fails to give them equal protection of the law.

Constitutional Issues in Racial Profiling

Profiling has often been an important tool for law enforcement

agencies in their fight against crime. In its most basic form, profiling is a technique that can help law enforcement agencies concentrate resources in specific directions in order to maximize the chances of preventing crime or apprehending criminals (Schauer 2003). As David Harris rightly notes, "a profile is simply a set of characteristics—physical, behavioral, or psychological" (2002, p. 16). In criminal investigations, law enforcement agents often develop profiles such as that of the rapist, serial killer, and drug-courier. However, profiles that are based on behavioral or psychological attributes differ from ones that are based on ascribed identities, such as race, ethnicity, national origin, or religious background. While the former focus on individuals, the latter tend to target specific communities and often lead to widespread violations of their civil liberties.

Racial profiling has become a generic term that describes the practice of targeting racial, ethnic, and cultural minorities by law enforcement agencies for stops, searches, or arrests. Over the past several years, this biased treatment of Blacks, Hispanics, Arabs, and Muslims has been eloquently expressed in common phrases such as *driving while black*, *driving while brown*, *flying while Arab*, and *flying while Muslim*, respectively. In its extreme form, racial profiling leads to police brutality. Police brutality refers to the use of excessive force or cruel and inhuman treatment against suspects by law enforcement agents. Just as minorities are the victims of racial profiling, they are also the victims of police brutality. While recognizing the differences between racial profiling and police brutality, I treat the two as closely intertwined problems. The interconnection is evident in the fact that most of the efforts to combat racial profiling were sparked by police brutality incidents. As a practical matter, the two problems are inseparable.

Racial profiling has generated serious constitutional and political debates. Traditionally, the question of racial profiling arises in cases related to the fight against illegal immigration and the war on drugs. These cases often involved Hispanics and Blacks, respectively. One must now add the War on Terror and its impact on Arabs and Muslims. The central question is whether racial profiling violates the principles of liberty and equality enshrined in the Fourth and Fourteenth Amendments of the United States Constitution. The Fourth Amendment guarantees

that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause.” The Fourteenth Amendment further guarantees: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” While there is a consensus that the Constitution prohibits unreasonable search and seizure (without a probable cause) and biased enforcement of the law, the courts have often found it difficult to agree on what constitutes unreasonable search and seizure or bias in the process of enforcing the law. Furthermore, the courts are often faced with the difficulty of striking a fine balance between protecting the civil liberties of individuals and defending the public interest.

The constitutional issues surrounding racial profiling have been raised in several cases brought before the Supreme Court. In *United States v. Brignoni-Ponce* (1975), for example, the Supreme Court agreed that it is a violation of the Fourth Amendment for officers in a revolving patrol near the Mexican border to question motorists about their immigration status solely because the motorists looked like Mexicans. In *United States v. Martinez-Fuerte et al.* (1976), however, the Supreme Court allowed for some degree of racial profiling at a fixed border checkpoint in order to protect the public interest against illegal immigration. In addition, the Supreme Court has addressed the issue of racial profiling in drug-related cases. In *United States v. Sokolow* (1989), for example, the Supreme Court focused on the use of ongoing criminal activities, personal characteristics, and official profiles as grounds for suspicion and seizure. The Court agreed that law enforcement agents could use government profiles of drug couriers, as long as the agents could show a clear link between the person fitting the profile and the criminal conduct in question. In *United States v. Armstrong* (1996), the Supreme Court directly dealt with the issue of racial bias in the enforcement of drug trafficking laws. The central question was whether the defendants, who were Blacks, were singled out for prosecution because of their race, in violation of the equal protection clause of the Fourteenth Amendment. In this case, the Court placed the burden

of proof of racial bias upon the defendants. Effectively, the Court gave law enforcement agents discretionary powers in choosing whom to investigate.

In *Korematsu v. United States* (1944), the Supreme Court directly dealt with the issue of racial profiling and violations of civil liberties within the context of national security. The central issue was the legality of the Exclusion Order issued during World War II, which stipulated that after May 9, 1942, all persons of Japanese ancestry must move out of the West Coast military area because they were suspected of espionage. In justifying the Exclusion Order, the Court distinguished violations of civil liberties that might result from activities intended to protect the public as opposed to violations that were driven by racial antagonism. Despite its deep concerns over the violations of civil liberties, the Court agreed that it was permissible to expel all persons of Japanese ancestry because it was impossible to differentiate those who were disloyal from those who were loyal to the United States.

The ongoing legal battle surrounding the Al-Qaeda and Taliban suspects held at Guantanamo Bay and in the United States is likely to produce the most crucial Supreme Court ruling for understanding how the courts reconcile racial profiling with civil liberties and national security matters. The major issue is whether the government could detain the suspects indefinitely, without a free and fair trial, in order to protect the United States from terrorism. Most of the suspects are foreign nationals who are either Arabs or Muslims caught in Afghanistan or Pakistan. However, these cases could have great implications for the numerous Arabs and Muslims arrested in the United States for terrorism-related activities since the 9/11 attack. The most interesting cases are those of Yasser Hamdi and Jose Padilla, who are both United States citizens by virtue of birth. Hamdi is an Arab American caught on the battlefield in Afghanistan.² Padilla is a Hispanic who converted to Islam. He was arrested at O'Hare Airport in Chicago on his way from Pakistan and later accused of plotting to detonate a "dirty bomb" in the United States on behalf of Al-Qaeda. The United States government has classified the Al-Qaeda and Taliban suspects as "enemy combatants" and refused to grant them access to the courts (Elsea 2004). Instead, the government has established a military tribunal to try the suspects. The first

hearing began at the end of August 2004, with the appearance of four suspects. However, the tribunal has been strongly opposed by human rights advocates. In June 2004, the Supreme Court ruled that terror suspects held at Guantanamo Bay should be given access to the courts (*Rasul v. Bush* 2004). In November 2004, a federal court in Washington, D.C., halted the trial of Salim Ahmed Hamdan. The judge agreed that a competent review tribunal must first determine whether the suspect was entitled to the protection of the Geneva Convention before he could be tried in a military tribunal. This ruling was overturned by the Court of Appeals for the District of Columbia Circuit. The case is now at the Supreme Court. The designation of American citizens as enemy combatants has also been strongly challenged. In February 2005, a federal district judge in South Carolina ruled that an American citizen could not be detained as an enemy combatant. Judge Henry Floyd ruled that the government must release Jose Padilla, who had been detained since May 2002, without charges. However, the Court of Appeals for the Fourth Circuit has overturned this ruling. This case is also expected to reach the Supreme Court.

Racial profiling has also raised other kinds of constitutional concerns relating to the manner in which arrests are executed. In *United States v. Sharpe* (1985), for example, the Supreme Court addressed the question of what constitutes a reasonable length of time to hold a suspect while an investigation is taking place. The case also raised the issue of consent search. In this case, the Court rejected the defendants' claim that they were held for an unreasonable time without a probable cause and searched without their consent. Instead, the Court was more sympathetic to the logistical difficulties that the officers faced in executing the arrests. In *Whren v. United States* (1996), the Court dealt with the issue of pretext for seizure. The Court rejected the defendant's claim that they were arrested for drug possession without a probable cause. The Court agreed that a legitimate arrest for a traffic violation could lead to a probable cause for another arrest.

The above cases raise crucial questions about racial bias, civil liberties, and the public interest in the process of enforcing the law. These are the critical issues in the debate about racial profiling and the values of liberty and equality in a democratic society. While some of the suspects in the above cases were engaged in criminal activities, the problem with racial profiling is

that it violates the civil liberties of too many innocent people and compromises the guarantee of equal protection before the law. As Justice Marshall reminded us in *United States v. Sokolow* (1989), "Because the strongest advocates of Fourth Amendment rights are frequently criminals, it is easy to forget that our interpretations of such rights apply to the innocent and the guilty alike." Racial profiling, as noted by Justice Jackson in *Korematsu v. United States* (1944), also violates the fundamental assumption that "guilt is personal and not inheritable." However, in most of these cases, the Supreme Court has failed to unequivocally reject racial profiling. This has left minority people vulnerable to abuse by law enforcement agencies. As Justice Brennan lamented in *United States v. Martinez-Fuerte et al.* (1976), "This defacement of Fourth Amendment protections is arrived at by a balancing process that overwhelms the individual's protection against unwarranted official intrusion by a governmental interest said to justify the search and seizure. But that method is only a convenient cover for condoning arbitrary official conduct."

Racial profiling is not only a threat to minority communities, but also a problem for American democracy. As I have noted, racial profiling violates the fundamental values of liberty and equality, which are the foundations of a democratic society. Democracy is defined as a system of government in which rulers are elected through regular free and fair elections (Dahl 1971). What is often forgotten is that elections are actually a means of ensuring that the civil liberties and human dignity of all citizens are protected (Tocqueville 1956). These include liberty from arbitrary arrest, right to a free and fair trial, and equality before the law. Thus, the real test for a democratic society is not only how often it holds elections, but also how well it protects the civil liberties of its citizens, especially minorities. By violating the values of liberty and equality, racial profiling undermines the trust of minorities in the very institutions of power that are supposed to protect them and contributes to their disenchantment with democracy.

Traditional Minorities and Racial Profiling

Over the past decades, Blacks and Hispanics have been victims of racial profiling and police brutality. More than any other group, they have been subjected to unnecessary stops and searches, humiliations, beatings, and even death by police officers,

especially in the major cities, such as New York and Los Angeles. In New York City, for example, the Civilian Complaint Review Board (CCRB) has documented numerous cases of improper treatment of citizens by officers of the New York Police Department (NYPD). The cases show that minorities, especially Blacks, are far more likely to be mistreated by the police. Between 1997 and 2001, for example, the CCRB identified 27,079 alleged victims. Blacks and Hispanics respectively accounted for 52% and 25% of the alleged victims, compared to 19% for Whites (CCRB 2002, p. 82). Given the racial composition of the city's population, the data clearly show that Blacks are at a disadvantage.³ In 2003, Blacks still accounted for 52% of the alleged victims of police mistreatment, while the proportion of Hispanics and Whites slightly changed to 24% and 19% respectively (CCRB 2004, p. 51). Even more troubling is the fact that Blacks are overrepresented among the victims whose allegations have been substantiated. In 1999 and 2000, for example, Blacks represented 54% of such victims. The proportion of Blacks fell to 43% in 2001, but by 2003, it had risen to 53%. The proportion of Whites ranged from 17% in 1999, to a high of 22% in 2001, before dropping to 21% in 2003. Since 1999, the proportion of Hispanics has ranged from 23% in 2000 to 26% in 2003, with the exception of 2001 when it rocketed to 32% (CCRB, 2004, p. 108).

In Los Angeles County, Blacks and Hispanics are also more likely to be stopped, searched, and arrested by the Los Angeles police compared to Whites. Out of the 496,416 drivers who were stopped in 2003, for example, 19% were Blacks. Though the number of White and Hispanic drivers stopped reflected their share of the county's population, White drivers were far less likely to be searched or arrested after they have been stopped.⁴ In fact, only 5% of the White drivers were searched, compared to 20% of the Black and Hispanic drivers. Furthermore, only 2% of the White drivers were arrested, compared to 4% of the Blacks and 5% of the Hispanics. Similarly, of the 23,498 passengers in cars that were stopped by the police in 2003, 34% were Blacks and 51% Hispanics, compared to 13% for Whites. Sixty-one percent of the Hispanic and 66% of the Black passengers were searched, compared to 50% of the Whites. The situation is not much different for minority pedestrians. Blacks and Hispanics, respectively, accounted for 36% and 43% of the 178,998 pedestrians stopped

in 2003, compared to 17% for Whites. Furthermore, 55% of the Black and 52% of the Hispanic pedestrians were searched, compared to 38% of the Whites. Twenty-six percent of the Black and 27% of the Hispanic pedestrians were arrested, compared to 14% of the Whites (LAPD 2003).

These disturbing statistics are a daily reality for Blacks and other minorities, who are mistreated by law enforcement officers across the country. The cases of mistreatment range from unnecessary stops and searches, to humiliation of innocent people, and, in worst-case scenarios, murder of unarmed civilians. In May 1996, for example, Alvin Penn, a prominent African American politician in Connecticut, was unnecessarily stopped and questioned by a police officer in Trumbull, Connecticut (Weizel, 1998). So too in January 1996, 42-year old Gary Rodwell of Philadelphia was stopped and searched for drugs on the I-95 highway in Maryland. Like other Black motorists on I-95, Rodwell was abused and humiliated during the search. He was part of a class-action lawsuit filed by the American Civil Liberties Union (Valentine 1998). Some of the most disturbing incidents of abuse include the Rodney King beating in Los Angeles and the sodomizing of Abner Louima in New York City. King was seriously beaten by police officers of the Los Angeles Police Department (LAPD) on March 3, 1991. The whole incident was video taped by a bystander (Christopher 1991). Thirteen years after the King incident, LAPD officers were again caught on tape beating a Black person. The victim, Stanley Miller, was repeatedly hit with a flashlight and kicked. The Miller incident, which occurred in June 2004, is under investigation. Initial reports indicate that Miller was unarmed and did not resist arrest (Madigan 2004). On August 9, 1997, Louima was beaten and sexually molested with the wooden handle of a toilet plunger in a bathroom at the 70th Precinct Station House by four officers of the NYPD (*United States of America against Justin Volpe* 1999).

Numerous unarmed Blacks and Hispanics have also been killed by police officers. In January 1996, for example, a 15-year old Puerto Rican boy, Frankie Arzuega, was killed by a NYPD officer. Arzuega was a passenger in a car that was stopped by the police (Human Rights Watch 1998). So too in December 1997, William Whitfield was killed by a NYPD officer at a supermarket (Rutenberg and Standora 1997). One of the most horrific cases

was the brutal killing of Amadou Diallo in February 1999. Four NYPD officers, who were looking for a rapist, fired forty-one bullets at Diallo, who was standing outside of his apartment building. Nineteen of the bullets hit him. He was unarmed and had no criminal record (Cooper 1999). A year after Diallo was killed, Patrick Dorismond was also shot dead during a scuffle with undercover NYPD officers. Dorismond was unarmed and had not committed a crime (Rashbaum 2000).

Clearly, Blacks are disproportionately overrepresented among the victims of police abuse of power. This reality points to serious violations of the principles of equality and liberty guaranteed in the United States Constitution. In their fight against crime, law enforcement agents have targeted minorities for stops, searches, and arrests. In the process, they have violated the civil liberties of innocent minorities. Though one may be tempted to treat some of these cases as isolated events, it is important to note that they are serious violations of the core values of democracy. Fittingly, the profiling of traditional minorities, especially Blacks, has been strongly condemned by civil rights activists and recognized by political leaders as a problem that needs to be addressed. The debate is not whether there is a public interest that justifies the profiling of minorities, but how best to address the dysfunctions within the law enforcement agencies, and thereby end racial profiling and police brutality.

The War on Terror and Racial Profiling

The 9/11 terrorist attack on the United States has raised serious questions about national security. Unlike previous acts of terrorism that have been committed against the United States, the 9/11 attack was carried out by an external enemy that managed to infiltrate the United States homeland. Furthermore, the scale and nature of the attack was unprecedented (National Commission on Terrorist Attacks Upon the United States 2004). Despite its military strength, the United States was seriously challenged in its response to the terrorist attack. One of the biggest problems for the United States is the nature of the enemy. As we now know, the enemy is an underground organization that employs unconventional methods of warfare. This has led to a state of fear within the United States.

The United States has taken a twofold response to terrorism.

Externally, the United States is waging wars in Afghanistan and Iraq and has committed itself to building democracy in these countries. At home, the United States has reorganized the federal government and introduced new laws that increase the powers of the law enforcement and security agencies. One of the most controversial aspects of the domestic response is the passage of the USA Patriot Act 2001, which drastically increased the powers of the government to monitor and arrest people it deems a threat to the United State (United States 2001). The domestic response has raised serious concerns about the erosion of civil liberties (Armitage 2002). The United States District Court for the Southern District of New York recently ruled that the surveillance provisions of the Patriot Act violated individual rights (*John Doe v. Ashcroft* 2004). Unlike the case of other Americans, however, the threat of terrorism has made Arabs and Muslims uniquely threatened by the passage of the Patriot Act (Howell and Shryock 2003).

Like traditional minorities, Arabs and Muslims are now victims of racial profiling. However, while the profiling of Blacks and Hispanics has mostly occurred within the context of the wars on drugs and illegal immigration, the profiling of Arabs and Muslims is directly linked to the War on Terror. Not surprisingly, the profiling of Arabs and Muslims is primarily conducted by federal law enforcement agencies, which are now part of the Homeland Security Department. The suspicion toward Arabs and Muslims could be traced back to some of the early hostage crises as well as the hijacking and bombing of airliners during the 1970s and 1980s, the 1993 plot to bomb the World Trade Center, and the recent attacks on United States interests around the world (Harris 2002).

The 9/11 attack has not only reinforced the suspicion toward Arabs and Muslims, it has also opened a new approach in the profiling of Arabs and Muslims. Shortly after the 9/11 attack, the government introduced the National Security Entry-Exit Registration System (NSEERS). The system required adult males from twenty-four Arab and Muslim countries to be interviewed, fingerprinted, and photographed at United States ports of entry and designated immigration offices.⁵ In a clear demonstration of the abuses associated with the new system, the authorities arrested hundreds of Iranian and other Muslim men in Los Angeles who showed up at the registration office in December 2002. This

discriminatory registration system was strongly criticized. The government has now replaced NSEERS with a blanket entry-exit registration system, US-VISIT. Initially, US-VISIT did not apply to citizens of countries covered by the visa waiver scheme, mostly West Europeans and Japanese. Even though the new system looks unbiased, the fear is that it might be an instrument for the profiling of Arabs and Muslims.

The security regulations introduced after the 9/11 attack have led to the mistreatment and detention of numerous innocent Arabs and Muslims. The cases range from humiliating treatment of Arab and Muslim passengers at airports, to the use of minor immigration violations as a pretext to detain people suspected of being terrorists. Many others have been accused of having terrorist links, but denied a free and fair trial. In many cases, they are held incommunicado. The profiling of Arabs and Muslims has been documented by reputable human rights organizations.⁶ On January 1, 2002, for example, an Arab-American passenger on his way to Washington, D.C., was pulled out of the jet way by airport police officers and questioned by FBI agents. The man had already passed through all the necessary security checkpoints. He was later told that the American Airlines pilot requested the extra background check because of his Arab name (Ibish and Steward 2003, p 30). Though the actual number of people detained is still not known, it is recognized in the brief submitted by the Justice Department in *Center for National Security, et al. v. United States Department of Justice* that the government has detained numerous Arabs and Muslims. On November 1, 2001, for example, FBI agents arrested a Palestinian civil engineer in New York City and held him for twenty-two days before he was released on a bond. The man was arrested after someone falsely reported that he had a gun. The agents later discovered that the man's visa had expired. However, he had already filed for an extension of his visa with the Immigration and Naturalization Services. He was granted an extension while in detention (Human Rights Watch 2002, p. 12). Even more troubling was the case of Ali al Magtqari, who testified before the Senate Judiciary Committee. Magtqari, a citizen of Yemen, and his wife, Tiffany Huges, were detained and mistreated by federal agents. They were arrested on September 15, 2001, near the Fort Campbell, Kentucky, army base. Huges, who is an American citizen, was reporting for duty as a new

recruit accompanied by her husband. While in custody, the agents accused Magtqari of involvement in terrorism and abusing his wife. He was threatened with deportation, mistreated, and detained for nearly two months. He was eventually released after his wife paid a \$10,000 bond (American Immigration Lawyers Association 2001).

The situation of Arabs and Muslims in detention since the 9/11 attack is also troubling. In some cases, the conditions under which they are held violate United States and international norms on the treatment of detainees. For example, as reported by human rights organizations such as Amnesty International and Human Rights Watch, the detainees are sometimes held under unsanitary conditions and abused by security personnel. The detentions are further complicated by secrecy and extensive delay in bringing the suspects to trial. Many of the detainees also lack adequate legal representation (Amnesty International 2002). The violations of fundamental legal norms are most evident in the government's attempt to deny Jose Padilla and the detainees at Guantanamo Bay access to United States courts. In a clear rejection of the government's argument, the Supreme Court has upheld the rights of the detainees to a free and fair trial in United States courts (*Rasul v. Bush*, 2004).

The profiling of Arabs and Muslims since 9/11 represents a serious violation of the principles of liberty and equality enshrined in the Constitution. The critical question, however, is whether the profiling of Arabs and Muslims could be justified by the formidable national security challenge facing the country. While racial profiling is officially condemned, it is clear that the new security measures target Arabs and Muslims. The targeting of Arabs and Muslims points to a disturbing element of state-sponsored racial profiling. The problem is made worse by the government's reluctance to grant the detainees free and fair trials. The problem with state-sponsored racial profiling is that it creates institutional mechanisms that tacitly violate civil liberties and encourage biased law enforcement practices. While these institutional mechanisms might be seen as short-term measures intended to combat terrorism, they could easily evolve into covert draconian rules and practices that can be used against minorities.

The Fight against Racial Profiling

Racial profiling is a complex problem that violates the principles of liberty and equality, enshrined in the Fourth and Fourteenth Amendments of the Constitution. The violation of these principles raises concerns about American democracy, especially among minority communities. Numerous efforts have been made to combat racial profiling and police brutality (Walker 2005). Some of the most notable efforts have come from government officials, the courts, and civic organizations. However, these efforts are virtually limited to the fight against the profiling of Blacks before the 9/11 attack. The pre-9/11 efforts to combat racial profiling represented significant public rejection of the profiling of Blacks. The critical question is whether these efforts could be revived in a post-9/11 environment, characterized by the fear of terrorism, to combat the profiling of all minorities, especially Arabs and Muslims.

As racial profiling and police brutality against Blacks started to gain media attention during the 1990s, government officials were forced to face the problem (Lawrence 2000). Various investigations have been undertaken to examine police abuse of power. Some of the most notable cases are those of New York City and Los Angeles. In New York City, for example, Mayor David Dinkins appointed the Mollen Commission in July 1992. The Commission was given a mandate to investigate the nature and extent of corruption in the NYPD. While the investigation focused on corruption, the findings of the commission revealed a culture of brutality, abuse of power, and lack of accountability, which undermined the NYPD's relations with minorities. The commission recommended a wide range of internal reforms and called for the establishment of a permanent independent body to oversee the NYPD (Mollen 1994). New York City also tackled the problem of racial profiling and police brutality by transforming the CCRB, which had been controlled by the NYPD. Though the CCRB was established in 1953, it was not until the early 1990s that it became a meaningful body to deal with police abuse of power. In 1986, the city passed legislation, which allowed the inclusion of civilian members in the CCRB. In 1993, Mayor Dinkins and the City Council finally transformed the CCRB into an all-civilian body. The CCRB was given subpoena power and the authority to recommend disciplinary action against officers. Though these

were significant efforts in the fight against racial profiling, they have failed to end the problem. Some of the failures are evident in the huge numbers of police abuse of power cases documented by the CCRB, the sodomizing of Louima, and the killing of Diallo.

In Los Angeles, Mayor Tom Bradley established the Christopher Commission to examine the problem of police abuse of power shortly after the King beating in 1991 (Christopher 1991). The commission discovered a disturbing trend of racism (and gender bias) among officers, who often spoke of minorities in language that compared them to lower animals. It found that a significant number of officers repeatedly violated the written policies and guideline of the LAPD on the use of force. This problem was attributed in part to inadequate supervision and failure to confront police abuse of power. The commission was also disturbed by the way the LAPD handled complaints against officers. As it noted, "the complaint system is skewed against complainants" (Christopher 1991, p. xix). To address the problem, the commission recommended several structural changes. In particular, it called for the creation of the Office of the Inspector General within the Police Commission, the strengthening of the Police Commission so that it could provide meaningful civilian oversight over the police department, and the introduction of a limit of two five-years terms for the Office of Chief of Police. It also urged Chief Gates, who had served as police chief for thirteen years, to step down. Most importantly, the commission called for a sustained recruitment of minority officers and the creation of anti-discrimination and cultural awareness programs. Five years after the Christopher Commission, the Los Angeles Police Commission asked Merrick Bobb, Mark Epstein, Nicolas Miller, and Manuel Abascal to review the implementation of the recommendations of the Christopher Commission. One of the most crucial elements of the Bobb report was the recruitment of minority officers. The report noted that although progress has been made, "the LAPD still has a way to go before its composition reflects the diversity either of the City's population or the County's labor pool" (Bobb 1996, p. 21). The report also expressed disappointment in the implementation of the anti-discrimination and cultural awareness programs recommended by the Christopher Commission.

In December 1991, the Board of Supervisors of Los Angeles County commissioned Special Council James Kolts to review the

“politics, practices and procedures of the Sheriff’s Department . . . as they relate to the allegations of excessive force, the community sensitivity of deputies and the department’s citizen complaint procedure” (Kolts 1992, p. 1). The Kolts report called upon the Los Angeles Sheriff’s Department to make it clear at every level of the department that it would not tolerate excessive force. It also called for civilian oversight in the citizen complaints review process and citizen involvement at the station level. The investigations clearly pointed out that the profiling of Blacks was unacceptable. The Christopher, Bobb, and Kolts reports attributed the problem of police abuse of power to the dysfunctions within the police departments. However, efforts to rectify the problems have been either slow or ineffective.

At the federal level, Presidents Bill Clinton and George W. Bush have issued directives to federal law enforcement agencies aimed at combating racial profiling (White House 1999, 2001). However, these directives have very little impact on the activities of local law enforcement agencies. In Congress, Representative John Conyers, Senator Frank Lautenberg, and Senator Russell Feingold have lead efforts to pass a law against racial profiling. Their efforts have brought significant national attention to the profiling of Blacks. Some of the most notable efforts include the attempts to pass the Traffic Stops Statistics Act of 1997/1999 and the End Racial Profiling Act of 2001/2004. Unfortunately, none of these bills passed in Congress. The failure to pass a law against racial profiling represents a significant lack of political will at the federal level to take bold actions against racial profiling. This lack of political will is in sharp contrast with the enthusiasm that surrounded the passage of the Patriot Act.

In general, racial profiling cases have not been successful in the courts. However, police brutality cases often draw attention to the problem of racial profiling. In some cases, justice has been realized for Black victims of police brutality. The cases that have received the most public attention are the Rodney King beating, the sodomizing of Abner Louima, and the shooting of Amadou Diallo. Four officers of the LAPD were tried in federal court for beating Rodney King. Two of the offices were eventually found guilty of violating King’s civil rights and sentenced to thirty months in prison (*United States of America v. Stacey C. Koon, et al.* 1993). In his civil suit against the City of Los Angeles, King was awarded

\$3.8 million (Mydans 1994). In the Louima case, several NYPD officers were charged with aggravated sexual abuse, first degree assault, and cover up. Justin Volpe was sentenced to thirty years in prison after pleading guilty to assault and sexual abuse (*United States of America against Justin Volpe* 1999). Charles Schwarz was found guilty of assault, sexual abuse, and cover up. He was sentenced to sixteen years in prison. Thomas Weise and Thomas Bruder were found guilty of cover up and sentenced to five years. In February 2002, however, the Court of Appeals overturned the convictions of Schwarz, Weise, and Bruder. Ronaldo Aleman and Francisco Rosario were convicted for making false statements and sentenced to two and three years of probation, respectively (*United States of America v. Charles Schwarz, et al.* 2002 and Feuer 2001). Louima also filed a civil lawsuit against the City of New York and the Patrolman's Benevolent Association. In July of 2001, the case was settled for \$8.75 million (*Abner Louima, et al. against City of New York, et al.*, 2004). Unlike the King and Louima cases, all four police officers in the Diallo case were cleared of the criminal charges against them. The officers were tried for second degree murder, second degree manslaughter, and criminally negligent homicide. Notwithstanding the disappointing verdict, the Diallo case led to tremendous outcry against police brutality and racial profiling. The family of Diallo filed a civil lawsuit against the City of New York and eventually reached a \$3 million settlement with the city (Feuer 2004). Though these cases were significant development in the fight against racial profiling and police brutality, the courts have not been effective. In many cases, prosecution has been difficult, leading to the acquittal of officers. Even when officers are convicted, the higher courts often overturn the convictions.

Racial profiling and police brutality against Blacks have prompted massive street protests from minority communities, civil rights activists, and the public at large. To a large degree, the protests manifest the public frustrations with the ineffectiveness of the political and judicial approaches in combating racial profiling and police brutality. Most of the protests galvanized around the Rodney King beating, the sodomizing of Abner Louima, and the murder of Amadou Diallo. Shortly after the Ventura County Superior Court jury acquitted the four officers accused of beating Rodney King, an uprising erupted in Los Angeles. African

Americans protested what many saw as a racially biased decision. The uprising left 52 people dead and more than 2,000 injured. Nearly a billion dollars worth of property was also damaged. The national guards and military troops were deployed to quell the violence, which lasted for three days. More than 16,000 people were arrested during the uprising (Oliver 1993).

While Los Angeles suffered from an uprising, New York City has been plagued by bitter demonstrations against racial profiling and police brutality. The protests began shortly after the sodomizing of Louima. On August 27, 1997, the Haitian community, supported by a cross-section of New York City's diverse communities and civil rights organizations, organized a huge demonstration. The demonstrators, estimated at 7,000 by the police and 15,000 by the organizers, marched from Grand Army Plaza in Brooklyn to City Hall in lower Manhattan. They demanded that Mayor Rudy Giuliani take action against racial profiling and police brutality. In addition, they called for the strengthening of the CCRB and the ending of the 48-hour rule, which gave police officers accused of brutality two days to prepare before they talk to investigators. More than a hundred people were arrested during the demonstration (Kifner 1997). Numerous smaller protests were also held around the city and at the 70th Precinct Station House.

The demonstrations against racial profiling and police brutality greatly intensified after the shooting of Amadou Diallo. Rev. Al Sharpton and other community leaders led a series of rallies denouncing police abuse of power. One of the biggest demonstrations took place on April 15, 1999. It drew around 10,000 people of diverse racial and ethnic backgrounds. The demonstrators called for federal monitoring of police misconduct and civilian oversight of the NYPD. The demonstrators also demanded the hiring of more minority police officers, the creation of a permanent special prosecutor for police brutality and corruption, the strengthening of the CCRB, an end to the use of hollow-point bullets, and the publications of an annual report on police misconduct by the Justice Department (Wilgoren April 1999). The daily protests escalated after the acquittal of the four officers who killed Diallo. Some of the most touching demonstrations were those organized by students. On March 3, 2000, for example, more than 500 students from five high schools

held a demonstration near Brooklyn Borough Hall denouncing police abuse of power and the Diallo verdict (Goodnough 2000). The daily demonstrations against police brutality in New York City also included high profile acts of civil disobedience. More than 1,200 demonstrators were arrested for civil disobedience during the first three months after the shooting of Diallo (Hicks 1999). Some of the most prominent people arrested for civil disobedience during the protests included Rev. Sharpton, former Mayor Dinkins, Representative Charles Rangel, New York State Comptroller H. Carl McCall, former Congressman Rev. Floyd Flake, Rev. Jesse Jackson, and actors Ossie Davis and Susan Sarandon (Wilgoren March 1999).

The demonstrations were critical forms of civic participation in the fight against racial profiling, which reminded the United States of the core values of democracy, namely liberty and equality. The demonstrations brought to light the problems of unequal treatment of citizens before the law and violations of civil liberties associated with the profiling of minorities. Most importantly, the demonstrations sent a clear message that the public does not accept the profiling of Blacks. Unfortunately, the demonstrations against racial profiling subsided right after the 9/11 attack, even though the problem of racial profiling is still prevalent.

Conclusion: Racial Profiling and Democratic Values

Racial profiling poses two kinds of challenges for the United States. The first challenge is to end the current violations of civil liberties and ensure equality before the law for all citizens. As we have seen, there have been vigorous efforts to end racial profiling and police brutality against Blacks. However, these efforts have only produced minimal results. Congress has failed to pass the necessary laws to combat racial profiling. Furthermore, attempts to reform police departments in New York and Los Angeles have been slow. In the courts, it has been difficult to convict officers engaged in police brutality. Despite these shortcomings, there is a strong rejection of the profiling of Blacks. The only problem is finding the proper mechanisms to combat the profiling of Blacks. While racial profiling of Blacks has been recognized as a problem for American society, the profiling of Arabs and Muslims has not been fully acknowledged as a problem. Since the 9/11 attack, efforts to end racial profiling have virtually ended. Yet, numerous

Arabs and Muslims have been wrongfully detained, mistreated, or denied a free and fair trial. With the exception of the street protests against the Iraq war and the works of committed human rights activists, there are no serious efforts to end the profiling of Arabs and Muslims. The second challenge is to protect the values of liberty and equality from the anti-democratic features of the new security regulations aimed at combating terrorism. While the regulations are clearly aimed at protecting the United States from terrorism, the danger is that any new instrument of profiling directed toward Arabs and Muslims can become a potential tool for the violation of the civil liberties of other citizens. Such violations could seriously undermine the essence of democracy. As we struggle to end racial profiling, the goal should not be to substitute one victim for another, but to fight for the values of liberty and equality, which protect all citizens in a democratic society.

Notes

¹ I am grateful to Jacob Frank for providing library assistance for this paper.

² Shortly after the Supreme Court gave the detainees access to United States courts in 2004, the United States government reached an agreement with Hamdi to renounce his United States citizenship in exchange for a safe return to Saudi Arabia, where his parents came from.

³ According to the New York City Department of City Planning, in 2000 the city's population was 8,008,278. The racial distribution was: White Non-Hispanic 35.0%, Hispanic Origin 27.0%, Black/African American Non-Hispanic 24.5%, Asian or Pacific Islander Non-Hispanic 9.8%, Other 3.7%.

⁴ According to the Los Angeles Department of City Planning in 2000 the population of Los Angeles was 46.5% Hispanic-Latino, 29.7% White, 10.9% Black/African America, 9.9% Asian, and 3.0% other.

⁵ The countries are: Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Libya, Lebanon, Morocco, Oman, Pakistan, Qatar, Somalia, Saudi Arabia, Sudan, Syria, Tunisia, the United Arab Emirates, and Yemen. North Korea was also included in the list.

⁶ For a detailed description of cases of mistreatment of Arabs and Muslims see: Ibish and Steward 2003, Human Rights Watch August 2002, and Amnesty International 2002.

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RESISTANCE AND REINVENTION OF THE SUBJECT IN JACKIE KAY’S TRUMPET

A. Lâmia Gülçur
Boğaziçi University

In her work *Methodology of the Oppressed*, Chela Sandoval claims that although inequities in material sources and subordination by race, class, nation, gender and sex continue to operate under the protection of law and order, a new kind of psychic penetration that respects no previous boundaries is evolving. She argues that “Mutation in culture, today, makes new forms of identity, ethics, citizenship, aesthetics and resistance accessible” (36.7).

In short, the contemporary schizophrenia of cultural globalization opens up a liberating mode of consciousness for the scapegoated, marginalized, enslaved, and colonized of every community. These groups have taken this schizophrenia as an opportunity for re-cognition, as turning points in their life history. They have discovered that freedom and triumph have been forbidden to them and have turned toward something else to be, developing modes of perceiving, making sense of, and acting upon reality all of which are the basis of effective forms of oppositional consciousness in today’s world.

Influenced by a newspaper article upon the death of jazz pianist Billy Tipton, a white woman who lived her life as a man, Kay constructs Joss Moody, a black Scottish trumpeter who lived his life as a man and was discovered to be anatomically female

after he died. Trumpet is about the life and death of Joss Moody or Josephine Moore as told by the various people who have come into contact with him. The novel is set in the aftermath of Joss's death. The only character who knows or has known about his being a woman is Millie, his grieving widow, who is white. Joss's story is told from her point of view and their adopted son Colman's, who didn't know the true nature of his father's sex. Other ordinary people too add to the music, some of them have known Joss, while others have been exposed to his woman's body but not to his personality. Kay herself says the novel is all about the effect that his secret has on the ordinary lives of the various characters: the registrar, the drummer who worked with Joss, the cleaner, the tabloid journalist who plans to make millions on the story of his life, his girlhood friend who loved him when he was a little girl. She claims that she wanted her novel to resemble jazz music where all the notes blend into one another. Through this blending, she traces the affirmations and constructions of selfhood in order to parody and expose the discontinuities of dominant myths of nation and sex/gender systems within a series of dislocated familial, sexual and racial identities. Kay carefully maps out the racial context of the British black, although she claims that race is not the pivotal point of the novel.

When musing over about her wedding, Millie recalls that her family almost didn't come. She reminisces:

I didn't want to believe it of them. I didn't want to believe my own mother could be prejudiced in that way. When I told her I was marrying Joss, she said she had nothing against them, but she didn't want her own daughter. People should keep to their own, she said. It wasn't prejudice, it was common sense, she said. Then she said the word, 'Darcy,' I don't want you marrying a 'Darcy' (27).

Colman, the adopted son, also has memories. One of them is what his parents have told him that the agency from which he was adopted was extremely pleased given his color.

He states:

London was seething racist. I don't remember much about Glasgow. ...My father kept telling me I was Scottish. Born there. But I didn't feel Scottish. Didn't feel English either. Didn't feel anything. My heart is a fuck-

ing stone (51).

One of his earliest memories is an incident that took place on a bus when a black man got on and a passenger called him an ape. When his mother got angry:

[The man said] ‘No wonder’ or something. And the black man who had been called an ape....was just sitting with his eyes low, looking at the bus floor (549).

Colman is, in fact, quite often reminded of his color. He says of himself that he always got lost. Got himself into fights with [when he was traveling] the railman, the other customer.

It is not easy to travel in this country. Black guys like him. People always think they are going to be wrong or they’ve done something wrong or they’re lying, or about to lie, stealing or about the steal. It’s no fucking joke just trying to get about the place with people thinking bad things about you all the time. He knows that they think these things. ...They are wary of him, scared of him, uptight (189).

The scene, in short, is the post imperial British site of hybridity, transculturation and or multiculturaluration. And Kay draws all these together to uncover, represent and critique the cultural differences, the differences of ethnicity, race, belonging, cultural memory, gender, sexual identity, class and location which are central to her country. She delineates a set of critical points within which the individual seeking to transform dominant and oppressive power can constitute himself as a resistant and oppositional subject. Sandoval claims that “These points are orientations deployed by those subordinated classes who seek subjective forms of resistance other than those determined by the social order itself. These orientations can be thought of as repositories within which subjugated citizens can either occupy or throw off subjectivities in a process that at once enacts and decolonizes their various relations to their real conditions of existence” (53). The success of the individual in this aspect of resistance rests on his developing survival skills into technologies for reorganizing himself and his collective dreams for empowerment into images turned fact.

Joss’s re-cognition is all-embracing; he seems to believe that the imaginary construction of identity is true of race and nationality as well as of gender and sexuality. He claims to be Black and Scots since nationality is neither essential nor empirical; it is as

Benedict Anderson puts it, an "imagined community." When Colman asks him about roots and lineage, he remembers Joss telling him that they were related and that it was the same for the band:

He felt that way too about the guys in his bands, that they were all part of some big family. Some were white some black. ...He said you make up your own blood-line, Colman. Make it up and trace it back. Design your own family tree – what's the matter with you? Haven't you got imagination? (59).

And then he presents Colman with different stories of his father, that he was an American and came to Scotland because of segregation, that he was Caribbean, that he just came off a ship from Africa. He says:

Any of these stories might be true, Colman.Which one? I said. Which one is true? Doesn't matter damn, he said. You pick. You pick the one you like best and that one is true (59).

Joss's strategies of subversion reflect the defiant demand of the colonized to recognize culture as artifact, an interested construction reflecting values of social constituencies rather than productions of nature and God. He is the product of the oppositional forms of consciousness and behavior that emphasize the transience of reality itself. His body is marked with the stamp of Africa and yet that too is a fantasy. Moody's earliest hit song is called "Fantasy Africa", and the title captures one of the essential messages of the book:

"Every black person has a fantasy Africa,' he'd say. "Black British people, Black Americans, Black Caribbe-ans, they all have a fantasy Africa, its all in the head" (34).

And even Colman admits that he has no place in Africa: It feels false to him, mates that get dressed up in African gear, wank on about being African with a fucking cockney accent, man. Back to Africa is just as unreal as far as Colman is concerned. He's never been to Africa, so how can he go back? (191).

However, he does realize the need for reinvention of identity within the unbending context of his society. He observes:

What is this thing with hair? ... White guys aren't in-

terested in their hair as far as he can see. Black guys keep reinventing themselves through hairstyles. ...His father liked going to a barber that was good at cutting black hair ... They'd get done together. An initiation ceremony (183).

But Joss reinvents himself within the parameters of gender as well since no one questions whether either Joss or Colman is black or Scottish or demands certainty as to what they are, yet this is precisely what is demanded in terms of Joss's sexed body. However, as Judith Butler claims: "...there is no gender identity behind the expressions of gender; that identity is performatively constituted by the very "expressions" that are said to be its result" (25). In other words, the truth of gender is produced through the regulatory practices that generate coherent identities through the matrix of coherent gender norms which require that certain kinds of identities where gender does not follow from sex cannot exist. "Follow" claims Judith Butler "in this context is a political relation of entailment instituted by the cultural laws that establish and regulate the shape and meaning of sexuality" (17). Joss uses the oppositional strategies of the oppressed to resist this dominant ideology or myth. He recognizes that the social meaning and ideology are form and not content. Signification exists only in relation to another, opposing signification – as in the case of the colonized and the colonizer who is signified through the negation of its other – gender roles are all established through their difference in the binary oppositions, though as Irigaray aptly suggests both "the subject and the other are masculine mainstays of a closed phallogocentric signifying economy that achieves its totalizing goal through the exclusion of the feminine altogether" (Butler 9). In such a context the agents of resistance are again created by this signifying-through-negation economy. Bhabha stresses the creation of "hybrids." He posits that "the production of meaning requires these two places be mobilized in the passage through a third space" (208). Pointing to the fact that in this third space "... the meaning and symbols of culture have no primordial unity and fixity; that even the same signs can be appropriated, translated, re-historicized and read anew" (ibid.), he foresees the possibility of enunciation in this third space. Joss Moody's resistance as a perfectly conscious "hybrid" or "mutation" constitutes the very proof that signs of gender can be "read anew". Here reading

Joss Moody as a “hybrid” instead of a woman who chose to be a man is more appropriate. I argue that he is in the third space, nor woman nor man anymore. He lives and dies as a mutation. This is the realm of what is “undefined”, what is impossible to appropriate because it escapes all definitions of sexuality and gender. Joss is neither a man nor a woman; neither a homosexual nor a bisexual. He/she includes all these definitions and frees himself/herself from all of them as we see in the course of the novel.

To the registrar Millie looks just like any other widow: She had the widow’s sad skin. ... A widow who had come to get the piece of paper that would tell her, because she still didn’t believe it, that her husband had really died. ... He asked the woman if Joss Moody ever formally changed her name to Joss Moody. The woman told him she didn’t think so. In other words, Mr. Sharif concluded, one day Josephine Moore just plucked the name Joss Moody out of the sky and called himself this name and encouraged others to do likewise. ...The woman nodded, smiling shyly, proud of her spouse’s achievement.He dipped his marbled fountain pen in the black Indian ink and wrote the name *Joss Moody* on the death certificate (80-81).

Millie’s reaction, when she first met Joss, was very much the same. She remembers asking him whether Joss Moody was his real name since it sounds like a name that someone would make up in anticipation of being famous: “He laughs at that and tells me he is going to be famous. I laugh too, nervously. I know he is going to be famous also” (139). And he does become famous – this tall, handsome black musician.

Joss’s life as a man is irreproachable. Judith Butler claims that: “Gender is the repeated stylization of the body, a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being” (33). Joss subverts the rigid frame by following the very acts that create the appearance of what Butler calls a “naturalistic necessity” (33). The substantive effect of gender is performatively produced. His anatomy interferes in the site at the very beginning of his relationship with Millie – when he has to expose his body to her. Otherwise he is a loving husband and

father. Millie says:

My husband died. I am now a widow. ...My husband died, I am now a widow. ...Why can't they understand how ordinary that is? ...I managed to love my husband from the moment I clapped eyes on him till the moment he died. ...I managed to be faithful, never to be interested in another man. I managed to be loyal, to keep our private life where it belonged. ...I know I loved being the wife of Joss Moody (205-206).

And the reactions of those who have to deal with Joss's body are much the same. Dr. Krishnamurty who comes to give the death certificate for the man and discovers he has breasts thinks on her way home that they looked strange, preserved, that they weren't real breasts at all. "At least not women's breasts" (43).

Holding, the funeral director, has a similar reaction when he undresses the body and cannot find a penis.

The whole absence made Albert Holding feel terribly anxious, as if he had done something wrong. As if he was not doing his job properly. He had never had a man turn into a woman before his very eyes. He felt it to be one of those defining moments in his life that he would be compelled to return to again and again. ...to-day, he had a woman who persuaded him, even dead, that he was a man, once he had his clothes on (109 , 111,116).

Colman's fury too subsides when he sees his father dressed in a suite once more. "He looked all right in that blue suite. He looked normal again. Dead; but normal. Better" (72).

These reactions validate or, actually, go beyond Sandoval's claims of mutation in culture opening up new possibilities regarding identity. The doctor, the funeral director and Colman all consent to accept Joss as a man in spite of his woman's body. It is not only a matter now of how Joss perceived himself but how others, besides Millie, decide to perceive his gender.

The outside world calls it "*Living a Lie*" (95). But Millie feels that she was living a life. "Hindsight is a lie" (95), she claims, and, this is the reason she has never told Colman, since there was nothing to tell. Josephine Moore is the third person for Joss Moody. Someone else he talked about in the third person and whom he wanted left alone. Joss has not lived a lie, but rather he has lived in disguise, a "real disguise", as Fanon calls it, that

enables survival.

The only reality for Joss Moody seems to be what he has created of himself and the freedom of his music. Jazz, the music of improvisation and reinvention, is the language of what Joss feels to be reality. Colman remembers:

Music was the way of keeping the past alive, his father said. There's more future in the past than there is in the future.... Black people and music; what would the world be without black people and music. Slave songs, work songs, gospel, blues, ragtime, jazz. ...All blues are stories. Our stories, his father said, our history. You can't understand the history of slavery, without knowing about the slave songs (191).

Music, for Joss, is the "abyss" that Barthes formulates. The zero-degree that Derrida designates as *différance*, "the bottomless chessboard where being is set" into play (154). *Différance* solicits the structure of every kind of human order. Its ascent ruptures older meanings and discloses in its activity new openings for interpreting and being. There is pain involved in the crossing to this no-place/utopia maintains Barthes. It is whatever is not expressible through words but accessed through poetic modes of expression such as music. It is a painful crossing to a chiasmus where new kinds of powers are evoked as the body dissolves. Barthes warns that this falling, flowing and melting, the subjectivity in this abyss also undergoes a sincere form of "bliss", that violent pleasure which shatters cultural identity or ego. It is an arrival at a utopian no-place where everything is possible – but only in exchange for the pain of the crossing (10). It is the differential consciousness in Sandoval's words "any system of signification which permits breaking through whatever controls, crossing over to another world" (139-140).

This abyss, *différance*, or differential consciousness, is what Joss finds in his world of music:

When he gets down, and he doesn't always get down deep enough, he loses his sex, his race, his memory. He strips himself bare, takes everything off, till he's barely human. ...Getting there is painful. He has to get to the centre of a whirlwind, screwballing in musical circles till he is very nearly out of his mind. ...he sometimes fears he'll never return sane... He goes down, swirling

and whirling till he's right down at the very pinpoint of himself. ...He could be the migrant. The dispossessed. He can't stop himself changing. Running changes. He unwraps himself with his trumpet. Down at the bottom, face to face with the fact that he is nobody. ...Playing the horn is not about being somebody coming from something. It is about being nobody coming from nothing. The horn ruthlessly strips him bare till he ends up with no body, no past, nothing (131-135).

This is the reality of Joss's existence. Colman observes: He looked real enough playing that horn in those smoky clubs; he looked real and unreal like a fantasy of himself. All jazz men are fantasies of themselves, reinventing the Counts and Dukes and Armstrongs, imitating them (190)

Even when we hear the voice of the dead; a letter from Joss fails to fix the truth. Joss writes:

Someone painted a picture of my father which I've left for you. ...The picture is called Mumbo Jumbo... He's not given a name. Even the name he was given, John Moore, was not his original name. That's the thing with us: we keep changing names. We've all got that in common (276).

Kay deliberately chooses not to disclose the initial impulse that led Josephine Moody to recreate himself as a black Scots "man". But we have, as readers, to recognize the resistance inherent in this kind of hybridity. As Butler says: "Inasmuch as 'identity' is assured through the stabilizing concepts of sex, gender, and sexuality, the very notion of "the person" is called into question by the emergence of those "incoherent" or discontinuous" gendered beings who appear to be persons but who fail to conform to the gendered norms of cultural intelligibility by which persons are defined" (17). As a result, the important voices here finally emphasize that identity is not what we are born with but what we decide to make it – a manifestation of our desires.

To conclude, resisting essentialist stances to identity formation, Kay's *Trumpet* adopts the anti-essentialist discourse and carries it to extremes. Loaded with post-modern and post-colonial references to fragmentation, reinvention, open text, difference, and hybridity and, to a certain extent, mimicry, the

novel delves into the depths of the "idea of the oppressed" where a great source of empowerment is discovered.

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Jeff Karem. *The Romance of Authenticity: The Cultural Politics of Regional and Ethnic Literatures.* (Charlottesville, VA: University of Virginia Press, 2004.) 247 pp., \$55 cloth, \$18.50 paper.

**Reviewed by: Helen Lock
University of Louisiana at Monroe**

The “romance of authenticity” to which the title of Jeff Karem’s timely new study refers is the romance between the American reading public and the regional or ethnic writer who is viewed as providing an “authentic” cultural viewpoint, often to the extent of becoming regarded as the premier representative of that culture. Karem’s argument, however, is that too much “symbolic weight” (205) is often attached to the work of writers seized upon as “representative.” They are asked to bear the burden of providing a vicarious and definitive immersion in a particular culture, and therefore their work is judged mostly in anthropological terms, with regard to the authenticity of the experience delineated. “Mainstream” writers, however, are evaluated by much broader standards: they are freer to explore different genres, for example, without risking accusations that their culture is not being accurately represented. “[M]uch criticism invested in authenticity and representation,” says Karem, “has reduced marginal authors to mere informants” (209). Worse, in the academic arena the work of such authors (whose canonicity is often largely determined by publishers) is often used as a means of confronting ethnic issues purely symbolically in the classroom, precluding any real action

beyond it.

Karem develops this thesis through examination of the publication and reception history of the works of five American writers, together with their own evolving responses to the way they were perceived by critics and the reading public. This aspect of the book is especially valuable, containing as it does much original research into the publishing history of the works under discussion, and their contemporaneous reviews. Perhaps surprisingly, the first "marginal" author considered is William Faulkner, but Karem reminds us that early in his career Faulkner was viewed largely as a regionalist, a representative Southerner, who took many years to achieve his eventual stature as a major Modernist experimentalist and mainstream American author. Karem then goes on to discuss Richard Wright's tussles with the Book of the Month Club, and his waning "authenticity" once he moved to France; the problems encountered by Ernest Gaines in meeting expectations for an African American writer; Leslie Marmon Silko's resistance to and later embracing of the role of shaman; and, perhaps most interestingly, Ronaldo Hinojosa, who as Karem explains is almost devoid of reception history thanks to his resistance to "orthodox mythologies" (157).

In the discussion of each author's work, Karem's focus is the aspect that has been obscured by the "authenticity" question, and his analysis is thoughtful and frequently illuminating, although one might question his reason for including two African American authors (admittedly of different generations) when other groups could have been included. The book concludes with the suggestion that literary studies explore the intersections between traditions and cultures, rather than confining authors within the "old categories of cultural nationalist representation" (210). This more fruitful approach is already being explored by a number of critics (Paul Gilroy, for example); what Karem's book does very effectively is to outline the causes and extent of the problems remedied by such an approach.

Patricia Klindienst. *The Earth Knows My Name: Food, Culture and Sustainability in the Gardens of Ethnic America*. (Boston: Beacon Press, 2006). xxviii, 304 pp. \$26.95 cloth.

**Reviewed by Harriet Joseph Ottenheimer
Kansas State University**

Perhaps one of the most fascinating parts of this book is its prologue, where Klindienst discusses her own family's rejection of its ethnic Italian heritage. Frightened by the anti-Italian sentiment surrounding the execution of Nicolo Sacco and Bartolomeo Vanzetti in the mid-1920s, Klindienst's family changed their name to something less Italian-sounding (she doesn't say what) and raised their children as assimilated Americans. Only many years later, at a family reunion, did Klindienst learn of her own ethnic origins. Fascinated, she began researching not only her own family's history but also that of Italian Americans in general. In the process she discovered the letters that Sacco and Vanzetti had written while in prison, awaiting their execution. Vanzetti's letters, in particular, touched Klindienst. Vanzetti wrote lyrically of his father's garden in Italy: how he missed it and how thinking of it brought him some measure of peace. These letters, according to Klindienst, and the sentiments expressed in them, led to her interest in researching the gardens of other ethnic Americans and set her off on a series of interviews with gardeners from a variety of ethnic backgrounds in the United States to see what gardening

means to them.

Klindienst tells us that she told her stories about Vanzetti's garden and her family's assimilation to all of the ethnic gardeners that she visited. She tells us that these stories provided her subjects with an explanation of why she was interested in their gardens and their stories. And she leads us to believe that the gardens and stories we are about to read will provide us with valuable insights into the relationships between ethnicity and gardening, between cultural identity and the land. Regrettably, however, each interview quickly develops into a set of political pronouncements on the evils of industrial farming or the importance of living organically on the land. In the end we learn more about Klindienst's personal philosophy of how we should all relate to the land than about ethnicity, gardening, or the relationships between ethnicity and gardening.

The first chapter, for example, opens with a portrait of Clayton Brascoupe, a Mohawk Indian living in Tesuque Pueblo. Infusing local practices with his own Iroquois gardening knowledge Brascoupe also draws from Japanese no-till concepts and Australian permaculture ideas to recreate traditional corn-growing in the area. A member of the Traditional Native American Farming Association, he participates in workshops and seed exchanges. The emphasis here is on adaptability and sustainability. The chapter then moves on to present the Fresquez family, a Flemish-Hispanic mix whose ancestors have been in New Mexico from the seventeenth century onward. The Fresquezes—father David, mother Loretta, and daughter Jennifer—grow vegetables for sale in the Santa Fe market. "We don't grow traditional food" (p. 24) they tell us, but they still prepare traditional dishes. As Klindienst explains, "Sprouted blue corn pudding, ritually pure food, is something Loretta can claim, and pass on. It is untainted by shame" (p. 25). We are left on our own to guess at what kind of shame Klindienst is referring to here.

Chapter two introduces us to two different Gullah gardeners on the island of St. Helena, South Carolina: Ralph Middleton has reintroduced indigo to the island and Otis Daise keeps a ten-acre market garden from which he sells produce at a local farmer's market. Klindienst uses this chapter to explore the role of African slaves in indigo growing during colonial times as well as to explore some African American history. She does a good job of presenting

this background material. Regrettably, however, in trying to give “color” to her characters, she succumbs to the temptation of presenting their speech in dialect. “I raise five kids on this land” (p. 47) and “I wish you come last week” (p. 50) are just two examples of this offensive practice. Her explanation—that Gullah is a rich oral tradition and that her speakers’ Standard English reflects Gullah grammar—do not reassure me. Other chapters have individuals whose first languages are not English yet those individuals are represented as speaking flawless Standard English. Why the discrepancy? Why reinforce some stereotypes and not others? Klindienst does not address this issue. The chapter ends with a rant against commercial growers who are taking over (and poisoning) the land and leaving less and less room for traditional growers.

Chapter three introduces us to Gerard Bentryn, a Polish American gardener in Bainbridge Washington, Akio Suyematsu, the Japanese American (Nisei) berry farmer from whom Bentryn leases his land, and Betsey Wittick, the young woman (ethnicity not indicated) who has bought two and a half acres of land from Suyematsu. These three individuals, along with Bentryn’s wife Jo Ann, have established a complex symbiotic relationship in which Suyematsu grows berries, Bentryn and his wife maintain an organic winery and market garden, and Wittick gardens with draft horses and helps out at the winery. It’s a fascinating interplay of personalities and we do learn a little bit about the plight of Japanese Americans who were forced to give up their land during World War II, but again, the primary theme of the chapter ends up being the struggle of all of these folks to maintain organic farms in the face of an onslaught of increased taxation and commercial interests. By the end of the chapter it is clear that Bentryn will have to turn his winery into a museum and sell most of his land in order to make ends meet.

The rest of the chapters are similar in tone. Khmer survivors of the Pol Pot regime find peace in community gardens in Amherst, Massachusetts. Italian gardeners living in California and in New England remember their childhood lives in Italy while they maintain gardens in the United States. A wealthy Punjabi woman, forbidden from digging in the dirt in India, flaunts tradition in California and creates a lush garden in her backyard, combining local plants with plants from India. Young Puerto Ricans in

South Holyoke, Massachusetts, learn respect for the land and for themselves as they learn to plant and grow their own food in community gardens. The final chapter is reserved for a Yankee farmer in Stonington, Connecticut, who has discovered a way to grow flint corn and to return the seeds to Native American groups who would like to have them. He too, like so many others in the book, is faced with losing his house and land to government taxation. Instead of talking about the importance of seed corn to the maintenance or recapturing of ethnic traditions and identity however, Klindienst prefers to focus on this farmer's contribution to "restorative justice" (p. 240). It is "Garden Democracy" that she is interested in, and not ethnic identity, as she reminds us yet again of Vanzetti's garden "which kept alive in him the memory of a place where he belonged as a citizen of a world that transcended any mere nation" (p. 242). It is not clear how this global identity relates to the ethnic identity that Klindienst has promised to tell us about. My copy of the book, a prepublication uncorrected page proof, had "Ethnic Americans" at the end of the subtitle. The shift to "Ethnic America" in the published version (see Amazon.com) reflects Klindienst's overwhelming focus on commonality, rather than on the more specific aspects of ethnicity in the different individuals portrayed. Although it had some fascinating sections, overall this book was a disappointment.

John Lie. *Multiethnic Japan*. (Cambridge and London: Harvard, 2001) xiii, 248pp., \$43.00 paper.

**Reviewed by John B. Richards
Southern Oregon University**

In preparing *Multiethnic Japan*, sociologist John Lie set out to describe the lives of the new Asian workers in Japan, but ended up demonstrating that Japan has long been and remains very much a multiethnic country.

Lie's case study is extraordinarily well documented. In it he describes how the Ainu, Burakumin, Okinawans, Koreans and Chinese came to be invisible ethnicities in Japan, and how the accelerated arrival of foreign workers in the 1980s re-opened the contemporary discourse on Japanese identity. He describes the "racialization" of the contemporary Asian foreign workers and their confinement to dirty, difficult and dangerous jobs. He tells of the of once-silent minorities emerging from discrimination in employment, residence and marital choice, and the internal angst of being unable to claim essential equality or admit, let alone embrace, their ethnic identities. But he does all this almost in passing; this is not their story, but the story of Japanese nationhood.

He argues the contemporary insistence on Japanese ethnic homogeneity is both very recent and belied by her history of modernization (state formation, colonization, and capitalist expansion), and provides ample evidence to be taken seriously. Lie argues that Japan was multiethnic to begin with and that today's

emerging minorities were established in the pre-modern period with development of social outcastes as the proto-Burakumin and the Yamato conquest and assimilation of the Ainu, were augmented in the modern period with the colonization of the Ryuu Kyuu islands, Taiwan, Korea and the Chinese northeast, and continue today as a consequence of the capitalist demand for low-wage workers. Japanese nationhood could emerge only with her modernization; only with the Meiji restoration of 1868 can Japan be said to have begun the process of nation formation.

The ideology of Japanese homogeneity emerged, Lie asserts, as Japanese of all walks of life for the first time developed the means (media, affluence and a democratic state) to perceive themselves as a whole, exactly as they recovered from the ruins of colonialism and all-out war. It is now to be challenged by a more nuanced reality. Lie ends by considering processes by which social classification and signification limit the freedom of individuals to fully participate in their own realities, noting that the reemergence of regional identities spearheads environmental activism (p171) and the attempt to conform to an imagined Japanese essence stifles individualism (p165).

Lie compares Japanese experiences of race, ethnicity and nationality to similar experiences in the United States, Britain and Europe, concluding the Japanese are not particularly racist. The comparisons warn us not to set the Japanese too apart from ourselves, but fall short of a satisfying comparative analysis.

Lie's culminating foray into sociological theory argues for conceptual acuity while illuminating the Japanese lack of clarity in the language of ethnicity, but falls short of providing a comprehensive theory to tie together the elements of identity formation and signification he has presented us. This he leaves to others.

ETHNIC STUDIES REVIEW

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